

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 405.4.A.2.a. To permit a sign setback of 2.5 ft. instead of the required 6 ft. setback. 413.2.f. to permit a sign of 181.3 sq. ft. instead of the required 100 sq. ft. or less.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

- (1) Sign Setback: Less than 6' has been in same location for approximately years and we do not have the space to relocate it further back as it would impede the flow of traffic at the pumps.
- (2) Sign Size: We are enlarging the price sign and the pole by 81.30 sq. over the maximum allowed 100 sq. ft. for better visibility to the public. We are not increasing the square footage of our Crown Logo.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____

(Type or Print Name) _____ Crown Stations, Inc. _____

Signature _____ Signature by K. A. Snyder, Vice President _____

Address _____ (Type or Print Name) _____

City and State _____ Signature _____

Attorney for Petitioner: _____

J. Gregory Kavanagh _____ P. O. Box 1168 _____ 519-7400 _____

(Type or Print Name) _____ Address _____ Phone No. _____

Signature _____ Baltimore, Maryland 21203 _____

P. O. Box 1168 _____ Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____

Address _____ Baltimore, MD 21203 _____

City and State _____ Name _____

Attorney's Telephone No.: 539-7400 _____ 2114 Ritchie Hwy. 761-9233 _____

Address _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of February, 1986, at 10:45 o'clock.

Zoning Commissioner of Baltimore County.

(over)

A.2d 483 (1974); Scoville Serv., Inc. v. Comptroller, 269 Md. 390, 306 A.2d 534 (1973); Height v. State, 225 Md. 251, 170 A.2d 212 (1961). Equally well settled is the principle that statutes are to be construed reasonably with reference to the purpose to be accomplished. Walker v. Montgomery County, 244 Md. 98, 223 A.2d 181 (1966), and in light of the evils or mischief sought to be remedied, Mitchell v. State, 115 Md. 360, 80 A.2d 1020 (1911); in other words, every statutory enactment must be considered in its entirety, and in the context of the purpose underlying [its] enactment. Giant of Md. v. State's Attorney, 267 Md. 501 at 509, 238 A.2d 427, at 432 (1973). Of course, a statute should be construed according to the ordinary and natural import of its language, since it is the language of the statute which constitutes the primary source for determining the legislative intent. Grosvener v. Supervisor of Assess., 271 Md. 232, 315 A.2d 758 (1974); Height v. State, supra. Where there is no ambiguity or obscurity in the language of a statute, there is usually no need to look elsewhere to ascertain the intention of the Legislature. Purifoy v. Merc. Safe Deposit & Trust, supra. Thus, where statutory language is plain and free from ambiguity and expresses a definite and sensible meaning, courts are not at liberty to disregard the natural import of words with a view towards making the statute express an intention which is different from its plain meaning. Gatewood v. State, 244 Md. 609, 224 A.2d 677 (1966). On the other hand, as stated in Kernie v. State, 192 Md. 615, 623, 65 A.2d 299, 302 (1949), "[a]n inference to the meaning of words does not require or permit isolation of words from their context...[since] the meaning of the plainest words in a statute may be controlled by the context..." In construing statutes, therefore, results that are unreasonable, illogical or inconsistent with common sense should be avoided whenever possible consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning. P. F. Saul Co. v. West Bnd Park, 250 Md. 707, 246 A.2d 591 (1968); Sanza v. Md. Board of Censors, 245 Md. 319, 226 A.2d 317 (1967); Height v. State, supra.

In applying these principles to the BCZR, particularly Section 413.2, the conclusion is inescapable that under the plain wording of Section 413.2, the policy as described above is in conflict and therefore wrong.

The intent of the BCZR must be determined as being construed as a whole. See Smith v. Miller, 249 Md. 390. Thus, the specific language delineating the use regulations in Section 413, BCZR, must be construed in light

IN RE: PETITIONS ZONING VARIANCES * BEFORE THE
Crown Stations, Inc., * ZONING COMMISSIONER
Petitioner * OF BALTIMORE COUNTY
* Case Nos. 86-317-A, 86-318-A, and 86-319-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit a sign setback from a street right of way of 2 1/2 feet in Case No. 86-317-A, 2 1/2 feet in Case No. 86-318-A, and 1 foot in Case No. 86-319-A instead of the required 6 feet and other business signs of 181.3 square feet instead of the permitted 100 square feet in each of the cases, as more particularly described on Petitioner's Exhibits 1 in each case.

Inasmuch as the requested variances and the facts surrounding each request are similar, or identical, the three Petitions referenced above have been combined for the purpose of this Order.

The Petitioner, by Vernon Mannion, its Real Estate Representative, appeared and was represented by Counsel. George Coppinger, a dealer at one of the sites, also appeared on behalf of the Petitioner. Alice LeGrand, representing the Reisterstown-Owings Mills-Glyndon Coordinating Council, and Mary Ginn and Kay Turner, representing The Alliance of Baltimore County Community Councils, Inc., appeared in opposition to Case No. 86-319-A. They were not opposed to Case Nos. 86-317-A and 86-318-A.

Testimony indicated that the Petitioner is requesting permission to replace existing signs at three locations, i.e., Loch Raven Boulevard and Yakovlev Road (Case No. 86-317-A), Reisterstown and Old Court Roads (Case No.

86-318-A, and Reisterstown and Straw Hat Roads (Case No. 86-319-A), all zoned B.L. Presently, one pylon bearing an identification (ID) sign with the familiar Crown logo and price signs attached below has existed at each location for many years. At Loch Raven Boulevard, the existing sign is 2 1/2 feet from the street right of way and measures approximately 141 square feet counting both sides. The ID sign measures approximately 104 square feet and the price sign measures 37 square feet. At Reisterstown and Old Court Roads, the existing sign is also located 2 1/2 feet from the street right of way and measures 104 square feet counting both sides. The price signs at this location are placed on a separate pylon. At Reisterstown and Straw Hat Roads, the sign is located 1 foot from the right of way and measures approximately 141 square feet, including the ID and price signs.

The Petitioner proposes to replace these signs with a uniform sign bearing the Crown ID on the top of two pylons within which will be a panel identifying the gasoline prices. The size of the sign will be 181.3 square feet, which includes both sides of the ID sign, the price box, and the structure. The only difference among the three signs is that the one at Reisterstown and Old Court Roads will be placed into a 10' x 10' brick fountain.

It is clear that the distances of the signs to the right-of-way lines are nonconforming. At the time the existing signs were erected, the long-standing policy of the Zoning Commissioner was to count all multiple-sided signs as one side only for the purpose of computing the permitted 100 square feet for other business signs. Indeed, if this latter policy had not been changed in In Re C-P Property Partnership, Case No. 85-113-SPHA, November 5, 1984, wherein it was decided by the Zoning Commissioner that this policy was illegal, the Petitioner would be able to erect these signs without the need for variances.

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For many years, as indicated, the policy permitted both sides of a multiple-faced business sign to be computed as one for the purpose of determining the size permitted. If a business sign such as the multiple-faced, free-standing sign proposed here was computed to be 98 square feet on each side, past policy would have counted only one side. Section 413.2.f, BCZR, permits other business signs if limited to a total area of 100 square feet, and therefore, a sign such as described above would be permitted as a matter or right without the need for a variance. Of course, if both sides were counted for a total of 196 square feet, a variance would be required.

This interpretation does not comport to either the language or the intent of the BCZR. By their inherent nature, policies facilitate and improve the implementation of procedures, but they are equally subject to alteration, modification, or revision in accordance with the authority under which they are initially adopted. They may be used to interpret and/or to construe the law but cannot supplant or contradict the law. Official administrative interpretations of statutes in the form of policy that have long-continued and unvaried application should not be disregarded except for the strongest reason. Hofmeister v. Frank Realty Co., 373 A.2d 273, 281 (1977). As long as the rules and regulations adopted by the administrative official are reasonable and consistent with the statute, they should be applied.

Farber's, Inc. v. Controller of the Treasury of the State of Maryland, 266 Md. 4 (1972).

The basic principles of statutory construction were comprehensively set out in the Court of Appeals in State v. Fabritz, 276 Md. 416 (1975), cert. denied, 425 U.S. 942 (1976):

The cardinal rule in the construction of statutes is to effectuate the real and actual intention of the Legislature. Purifoy v. Merc. Safe Dep. & Trust, 273 Md. 58, 327

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of all of the provisions concerning signs so that the several parts of those regulations are given their intended effect. Moreover, the relationship between those various provisions regulating signs must be reconciled as a whole. See Smith, supra; Bowie Vol. Fire Depart. & Rescue Squad, Inc. v. Bd. of County Commissioners, 255 Md. 381; Anderson, American Law of Zoning, Section 16.08.

Only Section 413.2.e, BCZR, permits a multiple-faced sign to be considered as one and that is limited to an identification sign for a shopping center or other interpreted group of stores or commercial buildings. The introductory language of Section 413.2 does not provide the right to treat all business signs alike. The language is not all inclusive nor all permissive. It provides a preamble to the section's intent and conditions any permission to place a business sign of a particular size in only those business or industrial zones permitted in subsequent subsections. If all of the subparagraphs of Section 413.2 are read and their intent interpreted as a whole, any such interpretation must conclude that the Baltimore County Council intended each face of a sign to be counted, except for shopping center identification signs. Section 413.5.a, BCZR, buttresses this clear and unequivocal reading, i.e., the size of any sign is computed by determining its surface area including the entire face or faces.

An ordinance should be construed "so that no word, clause, sentence, or phrase shall be rendered surplusage, superfluous, meaningless or nugatory." Superior v. Southgate Harbor, 279 Md. 586 (1977). If all multiple-faced business signs were to be considered as one, the language of Section 413.2.e would be meaningless, or at the very least, superfluous.

The language of Section 413.2 is clear and unambiguous; therefore, the long-standing and customary application of the policy which considers all

multiple-faced business signs as one should be disregarded for the strongest and most urgent of reasons, i.e., the policy conflicts with the plain meaning of the statute. Smith v. Higginbotham, 187 Md. 115. If after computation, the two sides of the multiple-faced business sign exceed the permitted size as delineated by law, a variance shall be required.

The Petitioner seeks relief from Sections 405.4.A.2.a and 413.2.f, pursuant to Section 307, BCZR.

The requested increase is not excessive, but very reasonable. Indeed, the height of the proposed signs, i.e., 21 feet 11 inches is approximately the same as the existing ones. There will be no practical difference in size between the old and the new signs. In fact, the proposed signage is the same. The increase in the area requested is because the structure is now computed in the area of the sign, not the sign panels only.

There is one exception. The proposed change at Reisterstown and Straw Hat Roads will create a problem inasmuch as the existing sign base is only 1 foot from the right of way of Reisterstown Road. The sign's pylon is placed at a 45 degree angle away from the road. Because of this, the sign is not as close to the road as the base. A change to the two pylon structure will negate this, and its close proximity to a major road could, in this Commissioner's view, cause a danger to the public health, safety, and welfare of the community. This problem does not exist at the other two locations, and indeed, the Protestants recognize this and do not object to those signs.

As for the setbacks, it is a long-standing policy to require the Petitioner to bring up to current standards all deficient setbacks when requesting other variances.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his

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property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of March, 1986, that the Petitions for Zoning Variances to permit sign setbacks of 2 1/2 feet from street rights of way instead of the required 6 feet and other business signs of 181.3 square feet instead of the

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permitted 100 square feet in Case Nos. 86-317-A and 86-318-A be and are hereby GRANTED from and after the date of this Order.

It is FURTHER ORDERED that the Petition for Zoning Variances to permit a sign setback of 1 foot from a street right of way instead of the required 6 feet and other business signs of 181.3 square feet instead of the permitted 100 square feet in Case No. 86-319-A be held SUB CURIA pending further information from the Petitioner.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl
cc: Andrew LaPayowker, Esquire
Mrs. Mary Ginn
Mrs. Alice LeGrand
People's Counsel

ZONING DESCRIPTION

Crown MD-34

Beginning on the northeast side of Reisterstown Road, 152.15 feet southeast of Old Court Road. Thence the four following courses and distances

1. N. 62° 39' 40" E. 153.0 feet
2. S. 41° 07' 46" E. 167.99 feet
3. S. 47° 52' 33" W. 143.07 feet

4. On the northeast side of Reisterstown Road in a northwest direction N. 41° 34' 33" W. 207.08 feet. To the place of beginning.
Containing 26.884 square feet in the 3rd Election District. Also known as 1507 Reisterstown Road.

PETITION FOR ZONING VARIANCES

3rd Election District

LOCATION: Beginning at Northeast Side of Reisterstown Road, 152.15 feet Southeast of Old Court Road (1507 Reisterstown Road)
DATE AND TIME: Monday, February 24, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit a sign setback of 2.5 feet in lieu of the required 6 feet and to permit a sign of 181.3 square feet in lieu of the permitted 100 square feet.

Being the property of Crown Stations, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
Beginning NE/S of Reisterstown : OF BALTIMORE COUNTY
Rd., 152.15' SE of Old Court :
Rd. (1507 Reisterstown Rd.) :
3rd District :
CROWN STATIONS, INC., Petitioners Case No. 86-318-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel. In the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 31st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to J. Gregory Yawman, Esquire, P. O. Box 1168, Baltimore, MD 21203, Attorney for Petitioner.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

SEARCHED RECEIVED FOR FILING

DATE March 24, 1986
BY John P. Lippert
ADMINISTRATIVE ASSISTANT

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BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 18, 1986

J. Gregory Yawman, Esquire
Post Office Box 1168
Baltimore, Maryland 21203

Re: Petition for Zoning Variances
Beg. @ NE/S of Reisterstown Rd., 152.15' SE
of Old Court Rd. (1507 Reisterstown Rd.) - 3rd Election District
Crown Stations, Inc. - Petitioner
Case No. 86-318-A

Dear Mr. Yawman:

This is to advise you that \$57.49 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018506

DATE 2/24/86 ACCOUNT R-01-615-000

AMOUNT \$ 198.49

RECEIVED FROM: William J. Peltz

FOR: Advertising Posting

VALIDATION OR SIGNATURE OF CASHIER

J. Gregory Yawman, Esquire
Post Office Box 1168
Baltimore, Maryland 21203

January 24, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
Beg. @ NE/S of Reisterstown Rd., 152.15' SE
of Old Court Rd. (1507 Reisterstown Rd.)
3rd Election District
Crown Stations, Inc. - Petitioner
Case No. 86-318-A

TIME: 10:45 a.m.

DATE: Monday, February 24, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012374

DATE 11/20/85 ACCOUNT 01-615-000

AMOUNT \$ 100.00

RECEIVED FROM: Crown Stations, Inc.

FOR: Variance #1196

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VARIANCES
3rd Election District

LOCATION: Beginning at Northeast Side of Reisterstown Road, 152.15 feet Southeast of Old Court Road (1507 Reisterstown Rd.)
DATE AND TIME: Monday, February 24, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Zoning Variances to permit a sign setback of 2.5 feet in lieu of the required 6 feet and to permit a sign of 181.3 square feet in lieu of the permitted 100 square feet.

Being the property of Crown Stations, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order of
ARNOLD JARLON,
Zoning Commissioner
of Baltimore County
Feb. 6

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 6, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 6, 1986.

THE JEFFERSONIAN,
[Signature]
Publisher

Cost of Advertising
24.75

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3rd

Posted for: Variances

Petitioner: Crown Stations, Inc.

Location of property: NE/S of Reisterstown Road, 152.15' SE of Old Court Rd. (1507 Reisterstown Rd.)

Location of Sign: N.E. side of Reisterstown Road, approx 250' SE of Old Court Rd. on front of subject property

Remarks:

Posted by: *[Signature]* Date of return: Feb. 7, 1986

Number of Signs: 1

Case No. CS-318-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of January, 1986.

ARNOLD JARLON
Zoning Commissioner

Received by: *[Signature]*
Chairman, Zoning Plans Advisory Committee

PETITION FOR ZONING VARIANCES
3rd Election District

LOCATION: Beginning at Northeast Side of Reisterstown Road, 152.15 feet Southeast of Old Court Road (1507 Reisterstown Rd.)
DATE AND TIME: Monday, February 24, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Zoning Variances to permit a sign setback of 2.5 feet in lieu of the required 6 feet and to permit a sign of 181.3 square feet in lieu of the permitted 100 square feet.

Being the property of Crown Stations, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order of
ARNOLD JARLON,
Zoning Commissioner
of Baltimore County
Feb. 6

NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., Feb. 6, 1986

Y that the annexed Reg. # 184192, P.O. # 73295

1) successive weeks/days previous

of February, 1986, in the

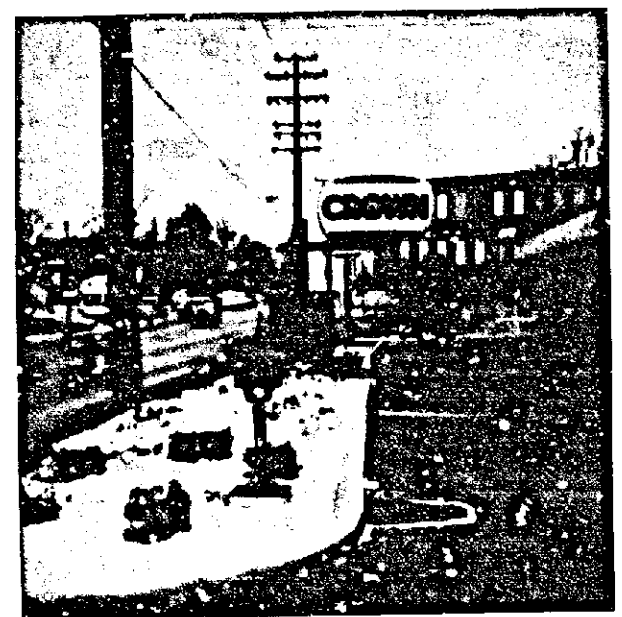
County Times, a daily newspaper published in Westminster, Carroll County, Maryland.

in News, a weekly newspaper published in Baltimore County, Maryland.

Times, a weekly newspaper published in Baltimore County, Maryland.

CITY NEWSPAPERS OF MARYLAND, INC.

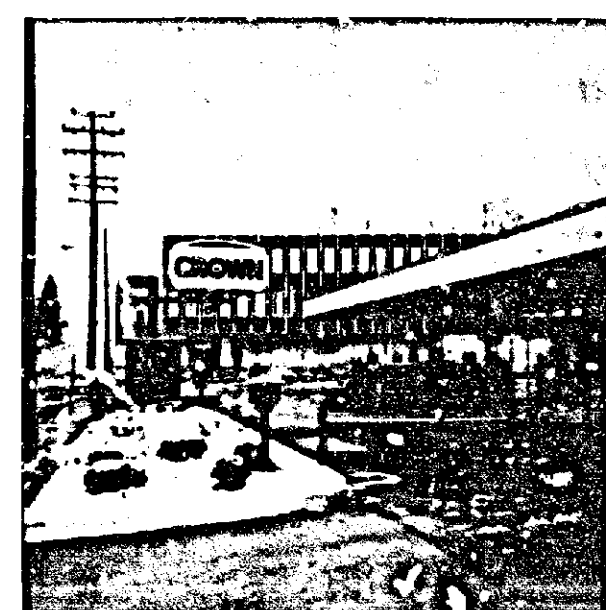
Per *[Signature]*



CROWN

ANDREW LAPAYOWIKER

PLANNING ATTORNEY
CROWN CENTRAL PETROLEUM
CORPORATION



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
Date: January 31, 1986
SUBJECT: Zoning Petitions No. 86-317-A, 86-318-A and 86-319-A

If the sign is to be placed on the existing base, this office is not concerned with the setback variance; if a new base is to be poured, it could and should be set further back from the property line.

As to the variance to sign size, this office is opposed. If better visibility to the public satisfies the "unreasonable hardship" criterion, then perhaps regulations governing sign size are superfluous.

Norman E. Gerber, AICP
Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 29, 1986

COUNTY OFFICE BLDG.
111 M. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

Chairman

Members

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

J. Gregory Yawman, Esquire
P. O. Box 1168
Baltimore, Maryland 21203

RE: Item No. 196 - Case No. 86-318-A
Petitioner - Crown Stations, Inc.
Variance Petition

Dear Mr. Yawman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures



Maryland Department of Transportation
State Highway Administration

William K. Heilmann
Secretary
Hol Kassoff
Administrator

December 6, 1985

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Baltimore County
Item #196
Property Owner: Crown
Stations, Inc.
Location: NE/S
Reisterstown Road
(Route 140) 152.15,
SE of Old Court Road
Existing Zoning: B.L. CSA
Proposed Zoning: Var.
to permit a sign setback
of 2.5' instead of the
required 6' setback and to
permit a sign of 181.3 sq.
ft. instead of the
required 100 sq. ft. or less
Acres: 26,834 sq. ft.
District 3rd

Att: James Dyer

Dear Mr. Dyer:

On review of the submittal for sign variance for Outdoor Advertising, the site plan has been forwarded to the State Highway Administration Beautification Section, C/O Morris Stein (659-1642) for all comments relative to zoning.

Very truly yours,

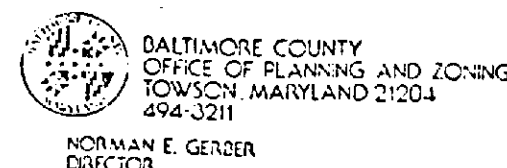
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es

cc: J. Ogle
M. Stein w/att.

My telephone number is 301-659-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 117 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 28, 1986

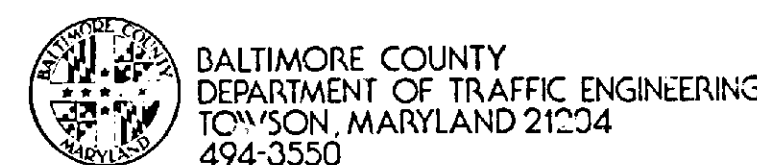
Re: Zoning Advisory Meeting of December 3, 1985
Item # 196 - Crown Stations, Inc.
Location: NE/S Reisterstown Rd. 152.15
SE of Old Court Road

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on [blank].
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ☒ The property is located in a traffic area controlling a "T" level intersection as defined by Bill 178-79, and as conditions change are re-evaluated annually by the County Council.
- ☒ Additional comments: [blank]

cc: James Hoswell

Eugene A. Boher
Chief, Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 3, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 190, 191, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, and 206.

MSP/bld

Michael S. Flanigan
Traffic Engineer Associate II



PAUL H. REINCKE
CHIEF

December 17, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Crown Stations, Inc.

Location: NE/S Reisterstown Road, 152.15' SE of Old Court Road

Item No.: 196 Zoning Agenda: Meeting of December 3, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of [blank] feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at [blank]

EXCEEDS the maximum allowed by the Fire Department.

- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.

☒ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and
Planning Group Approved: [Signature]
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 23, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
County Office Building
Towson, Maryland 21204

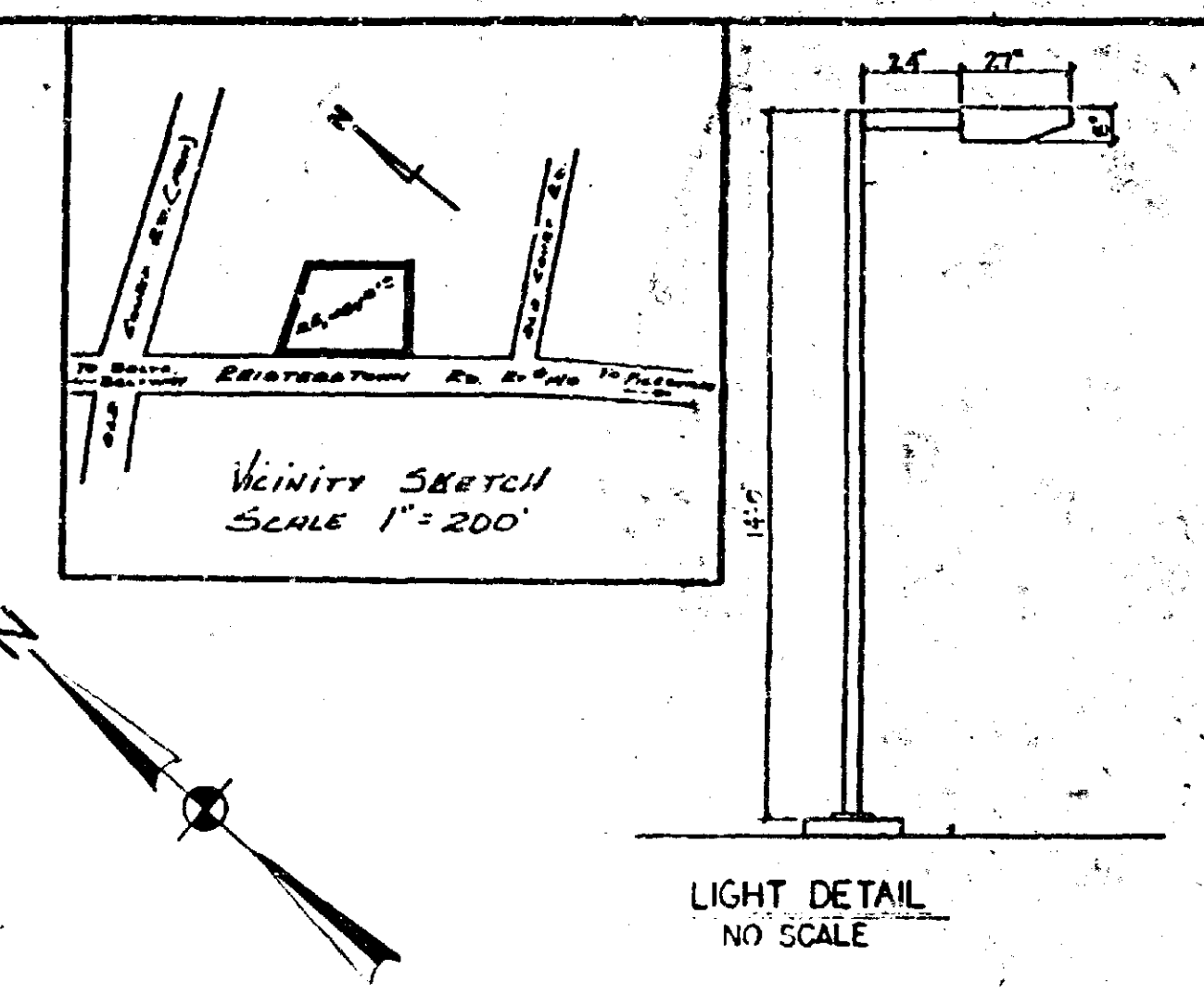
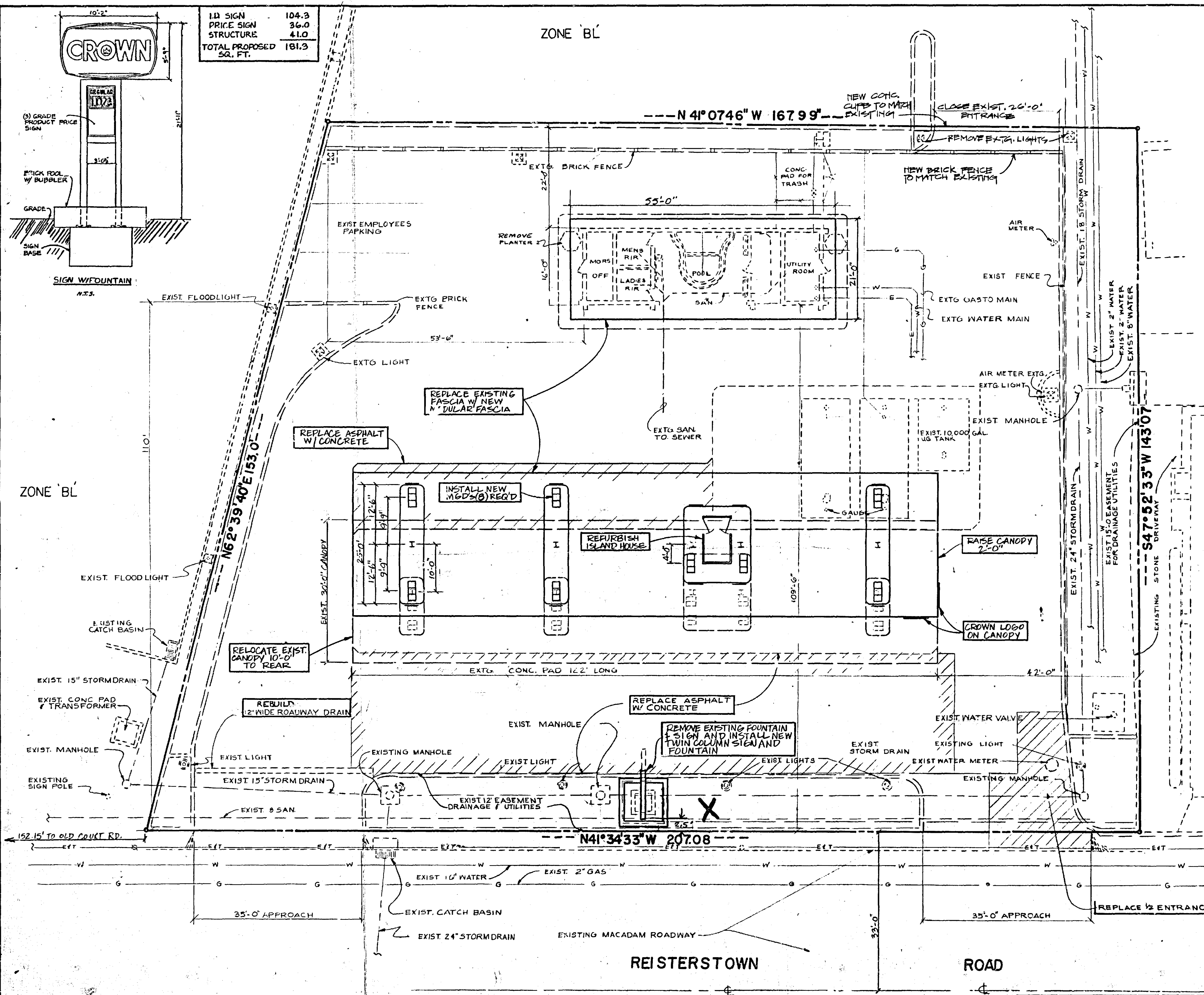
Dear Mr. Jablon:

Comments on Item # 196 Zoning Advisory Committee Meeting are as follows:

Property Owner: Crown Stations, Inc.
Location: NE/S Reisterstown Road, 152.15' SE of Old Court Road
District: 3rd.

APPLICABLE ITEMS ARE CIRCLED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, the Maryland Code for the Building and Code (A.B.C. 11-11-1) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be obtained before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- ☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduction seals are not acceptable.
- ☒ All the groups except B-1, Single Family Detached dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1, Two Groups require a one hour wall if closer than 3'-0" to an interior lot line. B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11, B-12, B-13, B-14, B-15, B-16, B-17, B-18, B-19, B-20, B-21, B-22, B-23, B-24, B-25, B-26, B-27, B-28, B-29, B-30, B-31, B-32, B-33, B-34, B-35, B-36, B-37, B-38, B-39, B-40, B-41, B-42, B-43, B-44, B-45, B-46, B-47, B-48, B-49, B-50, B-51, B-52, B-53, B-54, B-55, B-56, B-57, B-58, B-59, B-60, B-61, B-62, B-63, B-64, B-65, B-66, B-67, B-68, B-69, B-70, B-71, B-72, B-73, B-74, B-75, B-76, B-77, B-78, B-79, B-80, B-81, B-82, B-83, B-84, B-85, B-86, B-87, B-88, B-89, B-90, B-91, B-92, B-93, B-94, B-95, B-96, B-97, B-98, B-99, B-100, B-101, B-102, B-103, B-104, B-105, B-106, B-107, B-108, B-109, B-110, B-111, B-112, B-113, B-114, B-115, B-116, B-117, B-118, B-119, B-120, B-121, B-122, B-123, B-124, B-125, B-126, B-127, B-128, B-129, B-130, B-131, B-132, B-133, B-134, B-135, B-136, B-137, B-138, B-139, B-140, B-141, B-142, B-143, B-144, B-145, B-146, B-147, B-148, B-149, B-150, B-151, B-152, B-153, B-154, B-155, B-156, B-157, B-158, B-159, B-160, B-161, B-162, B-163, B-164, B-165, B-166, B-167, B-168, B-169, B-170, B-171, B-172, B-173, B-174, B-175, B-176, B-177, B-178, B-179, B-180, B-181, B-182, B-183, B-184, B-185, B-186, B-187, B-188, B-189, B-190, B-191, B-192, B-193, B-194, B-195, B-196, B-197, B-198, B-199, B-200, B-201, B-202, B-203, B-204, B-205, B-206, B-207, B-208, B-209, B-210, B-211, B-212, B-213, B-214, B-215, B-216, B-217, B-218, B-219, B-220, B-221, B-222, B-223, B-224, B-225, B-226, B-227, B-228, B-229, B-230, B-231, B-232, B-233, B-234, B-235, B-236, B-237, B-238, B-239, B-240, B-241, B-242, B-243, B-244, B-245, B-246, B-247, B-248, B-249, B-250, B-251, B-252, B-253, B-254, B-255, B-256, B-257, B-258, B-259, B-260, B-261, B-262, B-263, B-264, B-265, B-266, B-267, B-268, B-269, B-270, B-271, B-272, B-273, B-274, B-275, B-276, B-277, B-278, B-279, B-280, B-281, B-282, B-283, B-284, B-285, B-286, B-287, B-288, B-289, B-290, B-291, B-292, B-293, B-294, B-295, B-296, B-297, B-298, B-299, B-300, B-301, B-302, 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ZONING STATUS

EXISTING ZONING: PARCEL #1 BL

EXISTING DISTRICT: CSA

AREA REQUIREMENTS

4 # DISPENSER ISLANDS WITH 5 # MULTI-GRADE DISPENSERS CAPABLE OF SERVING 8 CARS AT ANY ONE TIME.

TOTAL SERVICING SPACES 8

TOTAL SERVICING BAYS 8

TOTAL BAYS & SPACES 8

SITE AREA REQUIRED TOTAL BAYS & SPACES 91 x 1500 SQUARE FEET = 12,000 SQUARE FEET. MINIMUM AREA REQUIRED 15,000 SQ. FT.

PROPOSED ANCILLARY & ADDITIONAL AREA REQUIRED NONE

PROPOSED COMBINATION USES NONE

ADDITIONAL AREA REQUIRED NONE

TOTAL AREA REQUIRED 12,000 SQ. FT.

TOTAL AREA OF TRACT 26,834.56 SQ. FT.

ACCESS POINTS

NUMBER OF DRIVEWAYS ON FRONT STREET 2 TIMES 65 = 130 (REQUIRED WIDTH)

ACTUAL SITE WIDTH 207.28'

LANDSCAPING

AREA "A" = 110 SQUARE FEET AREA "C" = 200 SQUARE FEET

AREA "B" = 1300 SQUARE FEET AREA "D" = 320 SQUARE FEET

TOTAL 2010 SQ. FT. = 7.6 % OF TRACT

5% OF TRACT 1345 SQ. FT.

LANDSCAPING CONSISTS OF (DESCRIPTION) ASTROTURF, FOUNTAIN

LIGHTING

(2) TYPE #1 4' HEIGHT LOW LEVEL (DESCRIPTION)

(2) TYPE #2 10' HEIGHT KUBE-LITE (DESCRIPTION)

PARKING

PARKING SPACES REQUIRED THREE FOR EACH BAY NONE

PARKING SPACES PROVIDED NONE

(ALL PARKING MUST BE SET BACK 8 FEET FROM STREET PROPERTY LINE).

NOTE: NO INDUSTRIAL WATER WILL BE USED OR INDUSTRIAL WASTE WATER DISCHARGED FROM THIS STATION.



CROWN CENTRAL PETROLEUM CORPORATION			
PRODUCERS • REFINERS • MARKETERS OF PETROLEUM PRODUCTS AND PETROCHEMICALS			
GENERAL OFFICES • ONE NORTH CHARLES • P.O. BOX 1158 • BALTIMORE, MARYLAND 21203			
PLOT PLAN OF SERVICE STATION			
1507 REISTERSTOWN RD. NR. OLD COURT RD.			
PIKESVILLE, MARYLAND			
SCALE: 1"=10'-0"	DATE: 02-20-85	STATION NUMBER: MD-34	REV. NO. 6
DRAWN BY: D. HAMLETTE	CHECKED BY:	DRAWING NUMBER: CCP-70-31 R	REV. NO. 6

REV. NO.	DATE	DESCRIPTION
6	11-7-85	ADDED LOCATION MAP, LIGHT DETAIL, SIGN DETAIL
5	9-26-85	REPLACED EXIST. FOUNTAIN & SIGN WITH NEW SIGN & FOUNTAIN
4	9-25-85	MOVED CANOPY 10' TO REAR, INST'D MGD'S
3	6-8-85	ADDED FENCE TO CLOSE ENDS REAR ENTRANCE
2	4-24-85	REV. RELOD. MGD'S AND REFUR. I.H.
1	3-20-85	REVISED OUTER ISLANDS

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 405.4.A.2.a. To permit a sign setback of 2.5 ft. instead of the required 6 ft. setback. 413.2.f. to permit a sign of 181.3 sq. ft. instead of the required 100 sq. ft. or less.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

- (1) Sign Setback: Less than 6' has been in same location for approximately years and we do not have the space to relocate it further back as it would impede the flow of traffic at the pumps.
- (2) Sign Size: We are enlarging the price sign and the pole by 81.30 sq. over the maximum allowed 100 sq. ft. for better visibility to the public. We are not increasing the square footage of our Crown Logo.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____

(Type or Print Name) _____ Crown Stations, Inc. _____

Signature _____ Signature by K. A. Snyder, Vice President _____

Address _____ (Type or Print Name) _____

City and State _____ Signature _____

Attorney for Petitioner: _____

J. Gregory Kawanow _____ P. O. Box 1168 _____ 519-7400 _____

(Type or Print Name) _____ Address _____ Phone No. _____

Signature _____ Baltimore, Maryland 21203 _____

P. O. Box 1168 _____ Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____

Address _____ Baltimore, MD 21203 _____

City and State _____ Name _____

Attorney's Telephone No.: 539-7400 _____ 2114 Ritchie Hwy. 761-9233 _____

Address _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of February, 1986, at 10:45 o'clock.

Zoning Commissioner of Baltimore County.

(over)

A.2d 483 (1974); Scoville Serv., Inc. v. Comptroller, 269 Md. 390, 306 A.2d 534 (1973); Height v. State, 225 Md. 251, 170 A.2d 212 (1961). Equally well settled is the principle that statutes are to be construed reasonably with reference to the purpose to be accomplished. Walker v. Montgomery County, 244 Md. 98, 223 A.2d 181 (1966), and in light of the evils or mischief sought to be remedied, Mitchell v. State, 115 Md. 360, 80 A.2d 1020 (1911); in other words, every statutory enactment must be considered in its entirety, and in the context of the purpose underlying [its] enactment. Giant of Md. v. State's Attorney, 267 Md. 501 at 509, 298 A.2d 427, at 432 (1973). Of course, a statute should be construed according to the ordinary and natural import of its language, since it is the language of the statute which constitutes the primary source for determining the legislative intent. Grosvener v. Supervisor of Assess., 271 Md. 232, 315 A.2d 758 (1974); Height v. State, supra. Where there is no ambiguity or obscurity in the language of a statute, there is usually no need to look elsewhere to ascertain the intention of the Legislature. Purifoy v. Merc. Safe Deposit & Trust, supra. Thus, where statutory language is plain and free from ambiguity and expresses a definite and sensible meaning, courts are not at liberty to disregard the natural import of words with a view towards making the statute express an intention which is different from its plain meaning. Gatewood v. State, 244 Md. 609, 224 A.2d 677 (1966). On the other hand, as stated in Kernie v. State, 192 Md. 615, 623, 65 A.2d 299, 302 (1949), "[a]n inference to the meaning of words does not require or permit isolation of words from their context...[since] the meaning of the plainest words in a statute may be controlled by the context..." In construing statutes, therefore, results that are unreasonable, illogical or inconsistent with common sense should be avoided whenever possible consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning. P. F. Saul Co. v. West Bnd Park, 250 Md. 707, 246 A.2d 591 (1968); Sanza v. Md. Board of Censors, 245 Md. 319, 226 A.2d 317 (1967); Height v. State, supra.

In applying these principles to the BCZR, particularly Section 413.2, the conclusion is inescapable that under the plain wording of Section 413.2, the policy as described above is in conflict and therefore wrong.

The intent of the BCZR must be determined as being construed as a whole. See Smith v. Miller, 249 Md. 390. Thus, the specific language delineating the use regulations in Section 413, BCZR, must be construed in light

IN RE: PETITIONS ZONING VARIANCES * BEFORE THE
Crown Stations, Inc., * ZONING COMMISSIONER
Petitioner * OF BALTIMORE COUNTY
* Case Nos. 86-317-A, 86-318-A, and 86-319-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit a sign setback from a street right of way of 2 1/2 feet in Case No. 86-317-A, 2 1/2 feet in Case No. 86-318-A, and 1 foot in Case No. 86-319-A instead of the required 6 feet and other business signs of 181.3 square feet instead of the permitted 100 square feet in each of the cases, as more particularly described on Petitioner's Exhibits 1 in each case.

Inasmuch as the requested variances and the facts surrounding each request are similar, or identical, the three Petitions referenced above have been combined for the purpose of this Order.

The Petitioner, by Vernon Mannion, its Real Estate Representative, appeared and was represented by Counsel. George Coppinger, a dealer at one of the sites, also appeared on behalf of the Petitioner. Alice LeGrand, representing the Reisterstown-Owings Mills-Glyndon Coordinating Council, and Mary Ginn and Kay Turner, representing The Alliance of Baltimore County Community Councils, Inc., appeared in opposition to Case No. 86-319-A. They were not opposed to Case Nos. 86-317-A and 86-318-A.

Testimony indicated that the Petitioner is requesting permission to replace existing signs at three locations, i.e., Loch Raven Boulevard and Yakovlev Road (Case No. 86-317-A), Reisterstown and Old Court Roads (Case No.

86-318-A, and Reisterstown and Straw Hat Roads (Case No. 86-319-A), all zoned B.L. Presently, one pylon bearing an identification (ID) sign with the familiar Crown logo and price signs attached below has existed at each location for many years. At Loch Raven Boulevard, the existing sign is 2 1/2 feet from the street right of way and measures approximately 141 square feet counting both sides. The ID sign measures approximately 104 square feet and the price sign measures 37 square feet. At Reisterstown and Old Court Roads, the existing sign is also located 2 1/2 feet from the street right of way and measures 104 square feet counting both sides. The price signs at this location are placed on a separate pylon. At Reisterstown and Straw Hat Roads, the sign is located 1 foot from the right of way and measures approximately 141 square feet, including the ID and price signs.

The Petitioner proposes to replace these signs with a uniform sign bearing the Crown ID on the top of two pylons within which will be a panel identifying the gasoline prices. The size of the sign will be 181.3 square feet, which includes both sides of the ID sign, the price box, and the structure. The only difference among the three signs is that the one at Reisterstown and Old Court Roads will be placed into a 10' x 10' brick fountain.

It is clear that the distances of the signs to the right-of-way lines are nonconforming. At the time the existing signs were erected, the long-standing policy of the Zoning Commissioner was to count all multiple-sided signs as one side only for the purpose of computing the permitted 100 square feet for other business signs. Indeed, if this latter policy had not been changed in In Re C-P Property Partnership, Case No. 85-113-SPHA, November 5, 1984, wherein it was decided by the Zoning Commissioner that this policy was illegal, the Petitioner would be able to erect these signs without the need for variances.

- 2 -

of all of the provisions concerning signs so that the several parts of those regulations are given their intended effect. Moreover, the relationship between those various provisions regulating signs must be reconciled as a whole. See Smith, supra; Bowie Vol. Fire Depart. & Rescue Squad, Inc. v. Bd. of County Commissioners, 255 Md. 381; Anderson, American Law of Zoning, Section 16.08.

Only Section 413.2.e, BCZR, permits a multiple-faced sign to be considered as one and that is limited to an identification sign for a shopping center or other interpreted group of stores or commercial buildings. The introductory language of Section 413.2 does not provide the right to treat all business signs alike. The language is not all inclusive nor all permissive. It provides a preamble to the section's intent and conditions any permission to place a business sign of a particular size in only those business or industrial zones permitted in subsequent subsections. If all of the subparagraphs of Section 413.2 are read and their intent interpreted as a whole, any such interpretation must conclude that the Baltimore County Council intended each face of a sign to be counted, except for shopping center identification signs. Section 413.5.a, BCZR, buttresses this clear and unequivocal reading, i.e., the size of any sign is computed by determining its surface area including the entire face or faces.

An ordinance should be construed "so that no word, clause, sentence, or phrase shall be rendered surplusage, superfluous, meaningless or nugatory." Superior v. Southgate Harbor, 279 Md. 586 (1977). If all multiple-faced business signs were to be considered as one, the language of Section 413.2.e would be meaningless, or at the very least, superfluous.

The language of Section 413.2 is clear and unambiguous; therefore, the long-standing and customary application of the policy which considers all

multiple-faced business signs as one should be disregarded for the strongest and most urgent of reasons, i.e., the policy conflicts with the plain meaning of the statute. Smith v. Higginbotham, 187 Md. 115. If after computation, the two sides of the multiple-faced business sign exceed the permitted size as delineated by law, a variance shall be required.

The Petitioner seeks relief from Sections 405.4.A.2.a and 413.2.f, pursuant to Section 307, BCZR.

The requested increase is not excessive, but very reasonable. Indeed, the height of the proposed signs, i.e., 21 feet 11 inches is approximately the same as the existing ones. There will be no practical difference in size between the old and the new signs. In fact, the proposed signage is the same. The increase in the area requested is because the structure is now computed in the area of the sign, not the sign panels only.

There is one exception. The proposed change at Reisterstown and Straw Hat Roads will create a problem inasmuch as the existing sign base is only 1 foot from the right of way of Reisterstown Road. The sign's pylon is placed at a 45 degree angle away from the road. Because of this, the sign is not as close to the road as the base. A change to the two pylon structure will negate this, and its close proximity to a major road could, in this Commissioner's view, cause a danger to the public health, safety, and welfare of the community. This problem does not exist at the other two locations, and indeed, the Protestants recognize this and do not object to those signs.

As for the setbacks, it is a long-standing policy to require the Petitioner to bring up to current standards all deficient setbacks when requesting other variances.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his

For many years, as indicated, the policy permitted both sides of a multiple-faced business sign to be computed as one for the purpose of determining the size permitted. If a business sign such as the multiple-faced, free-standing sign proposed here was computed to be 98 square feet on each side, past policy would have counted only one side. Section 413.2.f, BCZR, permits other business signs if limited to a total area of 100 square feet, and therefore, a sign such as described above would be permitted as a matter or right without the need for a variance. Of course, if both sides were counted for a total of 196 square feet, a variance would be required.

This interpretation does not comport to either the language or the intent of the BCZR. By their inherent nature, policies facilitate and improve the implementation of procedures, but they are equally subject to alteration, modification, or revision in accordance with the authority under which they are initially adopted. They may be used to interpret and/or to construe the law but cannot supplant or contradict the law. Official administrative interpretations of statutes in the form of policy that have long-continued and unvaried application should not be disregarded except for the strongest reason. Hofmeister v. Frank Realty Co., 373 A.2d 273, 281 (1977). As long as the rules and regulations adopted by the administrative official are reasonable and consistent with the statute, they should be applied.

Farber's, Inc. v. Controller of the Treasury of the State of Maryland, 266 Md. 4 (1972).

The basic principles of statutory construction were comprehensively set out in the Court of Appeals in State v. Fabritz, 276 Md. 416 (1975), cert. denied, 425 U.S. 942 (1976):

The cardinal rule in the construction of statutes is to effectuate the real and actual intention of the Legislature. Purifoy v. Merc. Safe Dep. & Trust, 273 Md. 58, 327

- 3 -

property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of March, 1986, that the Petitions for Zoning Variances to permit sign setbacks of 2 1/2 feet from street rights of way instead of the required 6 feet and other business signs of 181.3 square feet instead of the

- 7 -

permitted 100 square feet in Case Nos. 86-317-A and 86-318-A be and are hereby GRANTED from and after the date of this Order.

It is FURTHER ORDERED that the Petition for Zoning Variances to permit a sign setback of 1 foot from a street right of way instead of the required 6 feet and other business signs of 181.3 square feet instead of the permitted 100 square feet in Case No. 86-319-A be held SUB CURIA pending further information from the Petitioner.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl
cc: Andrew LaPayowker, Esquire
Mrs. Mary Ginn
Mrs. Alice LeGrand
People's Counsel

ZONING DESCRIPTION

Crown MD-34

Beginning on the northeast side of Reisterstown Road, 152.15 feet southeast of Old Court Road. Thence the four following courses and distances

1. N. 62° 39' 40" E. 153.0 feet
2. S. 41° 07' 46" E. 167.99 feet
3. S. 47° 52' 33" W. 143.07 feet

4. On the northeast side of Reisterstown Road in a northwest direction N. 41° 34' 33" W. 207.08 feet. To the place of beginning.
Containing 26.884 square feet in the 3rd Election District. Also known as 1507 Reisterstown Road.

PETITION FOR ZONING VARIANCES

3rd Election District

LOCATION: Beginning at Northeast Side of Reisterstown Road, 152.15 feet Southeast of Old Court Road (1507 Reisterstown Road)
DATE AND TIME: Monday, February 24, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit a sign setback of 2.5 feet in lieu of the required 6 feet and to permit a sign of 181.3 square feet in lieu of the permitted 100 square feet.

Being the property of Crown Stations, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
Beginning NE/S of Reisterstown : OF BALTIMORE COUNTY
Rd., 152.15' SE of Old Court :
Rd. (1507 Reisterstown Rd.) :
3rd District :
CROWN STATIONS, INC., Petitioners Case No. 86-318-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel. In the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 31st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to J. Gregory Yawman, Esquire, P. O. Box 1168, Baltimore, MD 21203, Attorney for Petitioner.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

SEARCHED RECEIVED FOR FILING

DATE March 29, 1986
BY John P. Lynch
ADMINISTRATIVE ASSISTANT

- 8 -

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JARLON
ZONING COMMISSIONER

February 18, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

J. Gregory Yawman, Esquire
Post Office Box 1168
Baltimore, Maryland 21203

Re: Petition for Zoning Variances
Beg. @ NE/S of Reisterstown Rd., 152.15' SE
of Old Court Rd. (1507 Reisterstown Rd.) - 3rd Election District
Crown Stations, Inc. - Petitioner
Case No. 86-318-A

Dear Mr. Yawman:

This is to advise you that \$57.49 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 2/24/86 ACCOUNT R-01-615-000
No. 018506
AMOUNT \$ 198.49
RECEIVED FROM William J. Potts
FOR Advertising Posting
B 8099*****138491a 3252F

J. Gregory Yawman, Esquire
Post Office Box 1168
Baltimore, Maryland 21203

January 24, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
Beg. @ NE/S of Reisterstown Rd., 152.15' SE
of Old Court Rd. (1507 Reisterstown Rd.)
3rd Election District
Crown Stations, Inc. - Petitioner
Case No. 86-318-A

TIME: 10:45 a.m.

DATE: Monday, February 24, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 11/20/85 ACCOUNT 01-615-000
No. 012374
AMOUNT \$ 100.00
RECEIVED FROM Crown Stations, Inc.
FOR Variance #1196
B 8099*****138491a 3252F

PETITION FOR ZONING VARIANCES
3rd Election District
LOCATION: Beginning at Northeast Side of Reisterstown Road, 152.15 feet Southeast of Old Court Road (1507 Reisterstown Rd.)
DATE AND TIME: Monday, February 24, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Zoning Variances to permit a sign setback of 2.5 feet in lieu of the required 6 feet and to permit a sign of 181.3 square feet in lieu of the permitted 100 square feet.
Being the property of Crown Stations, Inc., as shown on plat plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JARLON,
Zoning Commissioner
of Baltimore County
Feb. 6.

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 6, 1986.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 6, 1986.

THE JEFFERSONIAN,
[Signature]
Publisher

Cost of Advertising
24.75

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3rd
Posted for: Variances Date of Posting: Feb. 5 - 1986
Petitioner: Crown Stations, Inc.
Location of property: N.E./S. of Reisterstown Road, 152.15' SE of Old Court Rd. (1507 Reisterstown Rd.)
Location of Sign: N.E. side of Reisterstown Road, approx 250' SE of Old Court Rd. on front of subject property
Remarks:
Posted by: *[Signature]* Date of return: Feb. 7, 1986
Number of Signs: 1

Case No. 86-318-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

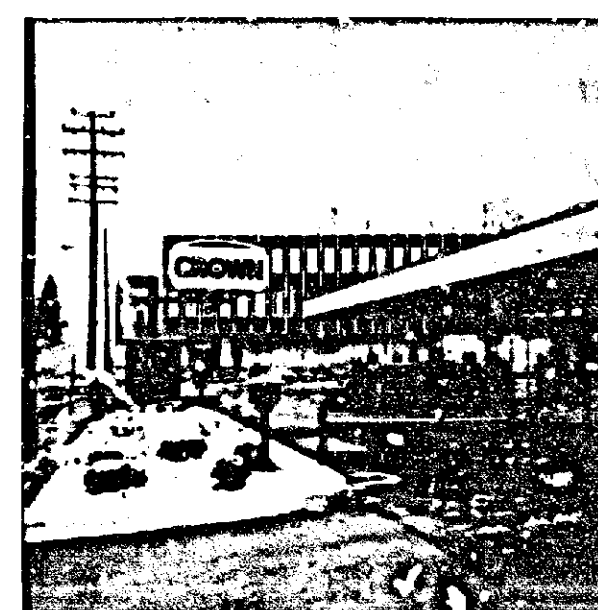
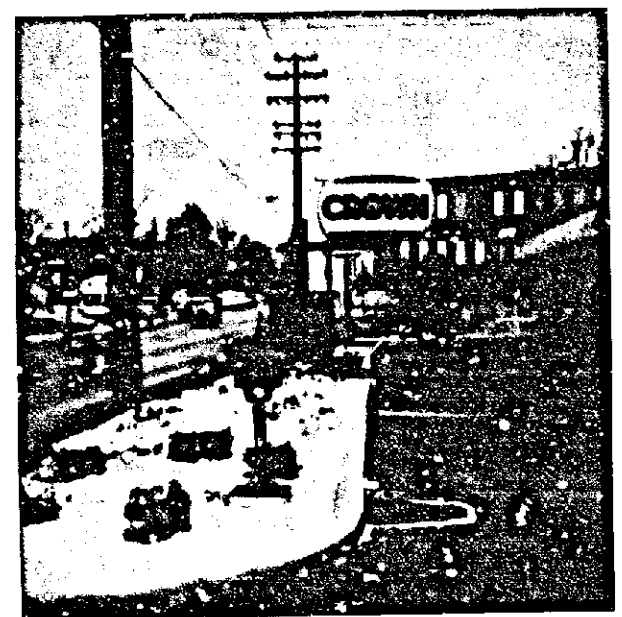
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of January, 1986.

ARNOLD JARLON
Zoning Commissioner
Received by: *[Signature]*
Petitioner: Crown Stations, Inc.
Attorney: J. Gregory Yawman, Esquire
Chairman, Zoning Plans Advisory Committee

PETITION FOR ZONING VARIANCES
3rd Election District
LOCATION: Beginning at Northeast Side of Reisterstown Road, 152.15 feet Southeast of Old Court Road (1507 Reisterstown Rd.)
DATE AND TIME: Monday, February 24, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Zoning Variances to permit a sign setback of 2.5 feet in lieu of the required 6 feet and to permit a sign of 181.3 square feet in lieu of the permitted 100 square feet.
Being the property of Crown Stations, Inc., as shown on plat plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JARLON,
Zoning Commissioner
of Baltimore County
Feb. 6.

NEWSPAPERS OF MARYLAND, INC.
Westminster, Md., Feb. 6, 1986.
I hereby certify that the annexed Regulation # 184192, P.O. # 73295 was published in the following newspapers:
1. Successive weeks/days previous to February 6, 1986, in the Baltimore County Times, a daily newspaper published in Westminster, Carroll County, Maryland.
2. In the News, a weekly newspaper published in Baltimore County, Maryland.
3. In the Times, a weekly newspaper published in Baltimore County, Maryland.
NEWSPAPERS OF MARYLAND, INC.
Per *[Signature]*

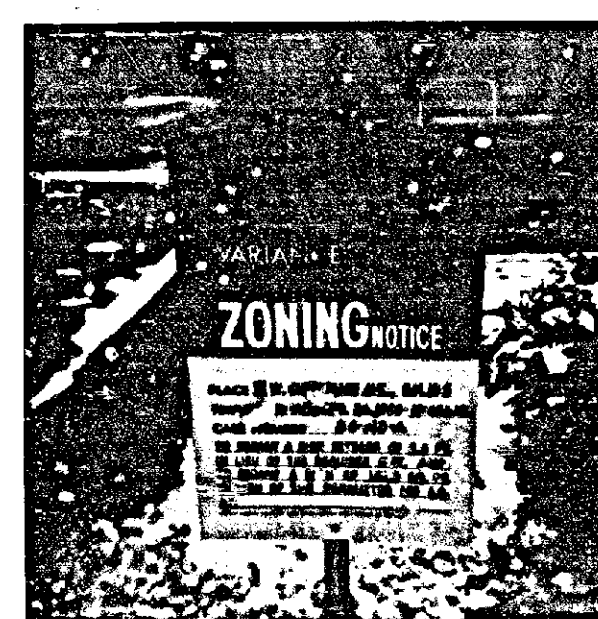


CROWN

ANDREW LAPAYOWIKER

PLANNING ATTORNEY
CROWN CENTRAL PETROLEUM
CORPORATION

ONE NORTH CHARLES
BALTIMORE, MARYLAND 21204
(410) 526-7400



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
Date: January 31, 1986
SUBJECT: Zoning Petitions No. 86-317-A, 86-318-A and 86-319-A

If the sign is to be placed on the existing base, this office is not concerned with the setback variance; if a new base is to be poured, it could and should be set further back from the property line.

As to the variance to sign size, this office is opposed. If better visibility to the public satisfies the "unreasonable hardship" criterion, then perhaps regulations governing sign size are superfluous.

Norman E. Gerber per J. H. Howell
Norman E. Gerber, AICP
Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 29, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

Members

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

J. Gregory Yawman, Esquire
P. O. Box 1168
Baltimore, Maryland 21203

RE: Item No. 196 - Case No. 86-318-A
Petitioner - Crown Stations, Inc.
Variance Petition

Dear Mr. Yawman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
James E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures



Maryland Department of Transportation
State Highway Administration

William K. Heilmann
Secretary
Hol Kassoff
Administrator

December 6, 1985

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Baltimore County
Item #196
Property Owner: Crown
Stations, Inc.
Location: NE/S
Reisterstown Road
(Route 140) 152.15,
SE of Old Court Road
Existing Zoning: B.L. CSA
Proposed Zoning: Var.
to permit a sign setback
of 2.5' instead of the
required 6' setback and to
permit a sign of 181.3 sq.
ft. instead of the
required 100 sq. ft. or less
Acres: 26,834 sq. ft.
District 3rd

Att: James Dyer

Dear Mr. Dyer:

On review of the submittal for sign variance for Outdoor Advertising, the site plan has been forwarded to the State Highway Administration Beautification Section, C/O Morris Stein (659-1642) for all comments relative to zoning.

Very truly yours,

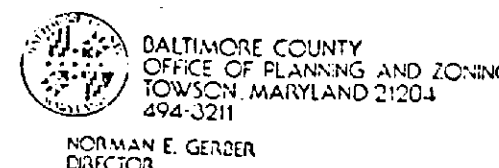
Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es

cc: J. Ogle
M. Stein w/att.

My telephone number is 301-659-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 117 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 28, 1986

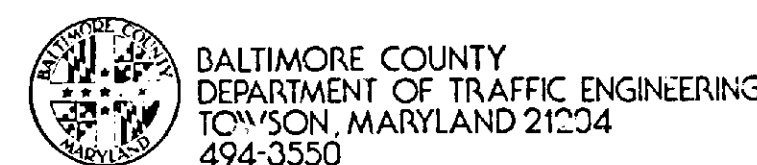
Re: Zoning Advisory Meeting of December 3, 1985
Item # 196 - Crown Stations, Inc.
Property Owner: Crown Stations, Inc.
Location: NE/S Reisterstown Rd. 152.15
SE of Old Court Road

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on [blank].
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ☒ The property is located in a traffic area controlling a top level intersection as defined by Bill 178-79, and as conditions change are re-evaluated annually by the County Council.
- ☒ Additional comments: [blank]

cc: James Howell

Eugene A. Baker
Chief, Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 3, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 190, 191, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, and 206.

MSP/bld

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

December 17, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Crown Stations, Inc.

Location: NE/S Reisterstown Road, 152.15' SE of Old Court Road

Item No.: 196 Zoning Agenda: Meeting of December 3, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of [blank] feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at [blank]

EXCEEDS the maximum allowed by the Fire Department.

- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.

☒ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and
Planning Group Approved: [Signature]
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 23, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 196 Zoning Advisory Committee Meeting are as follows:

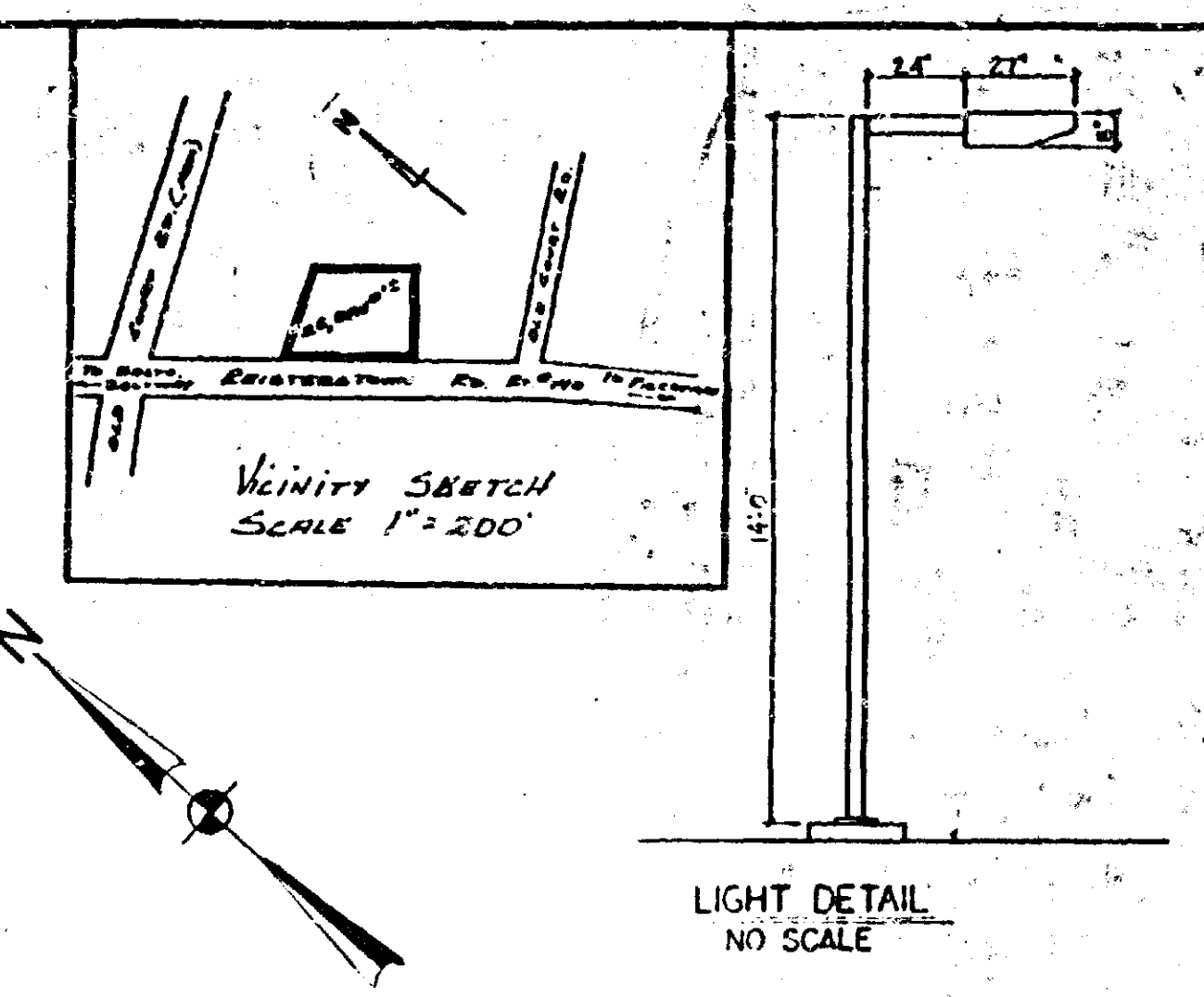
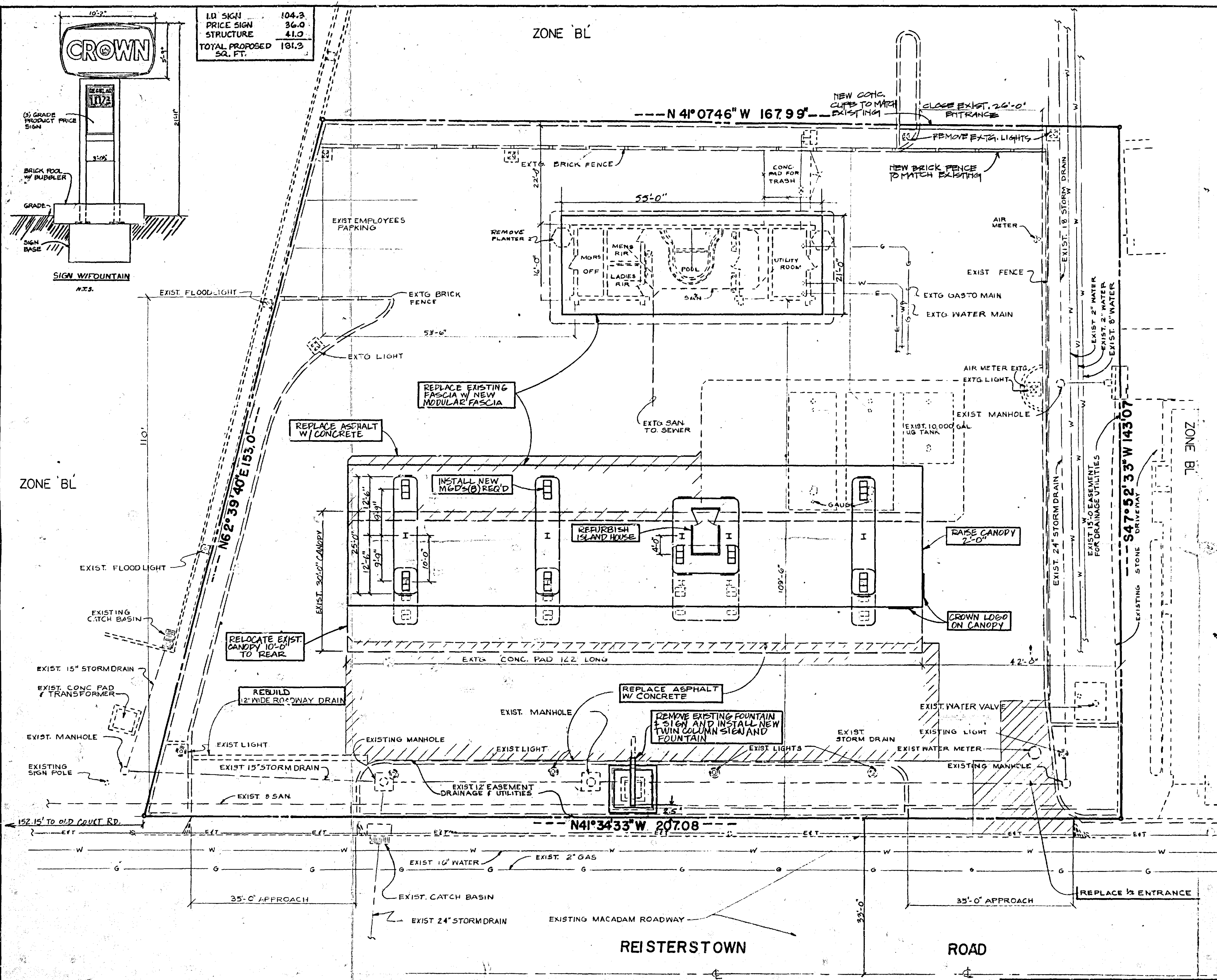
Property Owner: Crown Stations, Inc.
Location: NE/S Reisterstown Road, 152.15' SE of Old Court Road
District: 3rd.

APPLICABLE ITEMS ARE CIRCLED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, the Maryland Code for the Building and Code (A.B.C. 11-85) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be obtained before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- ☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproductible seals are not acceptable.
- ☒ All the groups except B-1, Single Family Detached dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. B-2 Use Group shall require a one hour wall if closer than 3'-0" to an interior lot line. See Table 401, Section 107, Section 106-2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☒ The structure does not appear to comply with Table 505 for permissible heights/areas. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section(s) [blank] of the Baltimore County Building Code.
- ☒ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use [blank] to Use [blank] or to Mixed Uses. See Section 312 of the Building Code.
- ☒ The proposed project appears to be located in a Flood Plain, Tidal/Non-tidal. Please see the attached copy of Section 510 of the Building Code as adopted by Bill #11-85. Site plans shall show the current elevations above sea level for the lot and the finished floor levels including basement.
- ☒ Comments: Separate permits are required for the various improvements.
- ☒ These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning & Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting the Office of Planning & Zoning, 111 W. Chesapeake Avenue, Towson, Maryland 21204.

By: C. E. Buchanan, Chief
Building Plans Review

L/22/MS



ZONING STATUS

EXISTING ZONING: PARCEL #1 BL

EXISTING DISTRICT: CSA

AREA REQUIREMENTS

4 # DISPENSER ISLANDS WITH 5 # MULTI-GRADE DISPENSERS CAPABLE OF SERVING 2 CARS AT ANY ONE TIME.

TOTAL SERVICING SPACES 8

TOTAL SERVICING BAYS 0

TOTAL BAYS & SPACES 8

SITE AREA REQUIRED TOTAL BAYS & SPACES 8 # x 1500 SQUARE FEET = 12,000 SQUARE FEET. MINIMUM AREA REQUIRED 15,000 SQ. FT.

PROPOSED ANCILLARY & ADDITIONAL AREA REQUIRED VENDING MOTOR OIL, RESTROOMS & ALLIED PRODUCTS NONE

PROPOSED COMPLETION USES NONE

ADDITIONAL AREA REQUIRED NONE

TOTAL AREA REQUIRED 12,000 SQ. FT.

TOTAL AREA OF TRACT 26,834.56 SQ. FT.

ACCESS POINTS

NUMBER OF DRIVEWAYS ON FRONT STREET 2 TIMES 65 = 130 (REQUIRED WIDTH)

ACTUAL SITE WIDTH 207.08'

LANDSCAPING

AREA "A" = 110 SQUARE FEET AREA "C" = 200 SQUARE FEET

AREA "B" = 1385 SQUARE FEET AREA "D" = 320 SQUARE FEET

TOTAL 2010 SQ. FT. = 7.6 % OF TRACT

SZ OF TRACT 1345 SQ. FT.

LANDSCAPING CONSISTS OF (DESCRIPTION) ASTROTURF, FOUNTAIN

LIGHTING

(2) TYPE #1 4' HEIGHT LOW LEVEL (DESCRIPTION)

(2) TYPE #2 10' HEIGHT KUBE-LITE (DESCRIPTION)

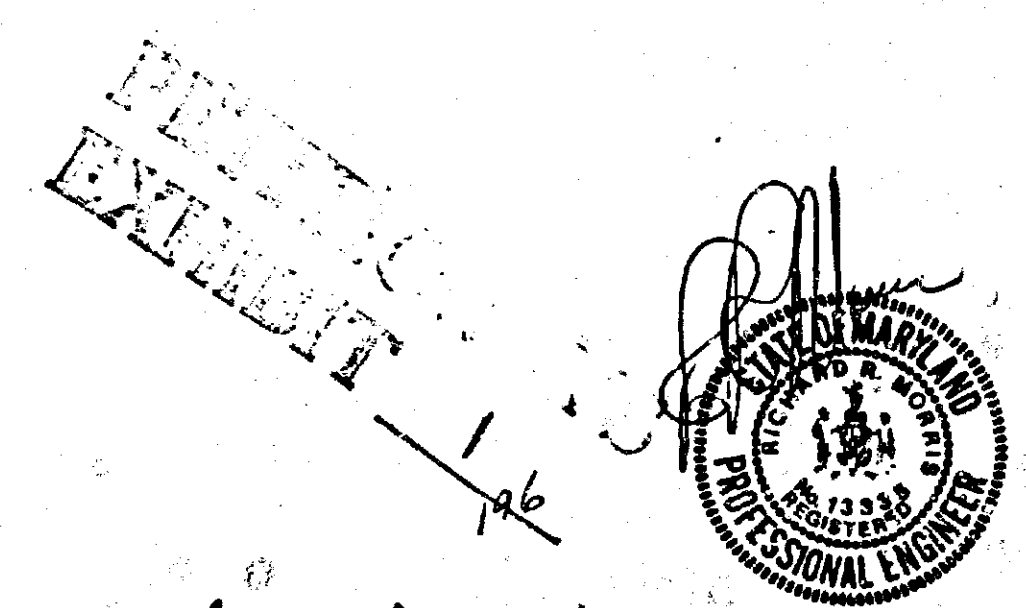
PARKING

PARKING SPACES REQUIRED THREE FOR EACH BAY NONE

PARKING SPACES PROVIDED NONE

(ALL PARKING MUST BE SET BACK 8 FEET FROM STREET PROPERTY LINE)

NOTE: NO INDUSTRIAL WATER WILL BE USED OR INDUSTRIAL WASTE WATER DISCHARGED FROM THIS STATION.



3rd Elec. Dist.

REVISIONS		CROWN CENTRAL PETROLEUM CORPORATION	
1	11-7-85	ADDED LOCATION MAP, LIGHT DETAIL, SIGN DETAIL	PRODUCERS • REFINERS • MARKETERS OF PETROLEUM PRODUCTS AND PETROCHEMICALS
2	9-26-85	REPLACED EXIST. FOUNTAIN & SIGN WITH NEW SIGN & FOUNTAIN	GENERAL OFFICES • 1715 NORTH CHARLES • P.O. BOX 1168 • BALTIMORE, MARYLAND 21203
3	9-25-85	MOVED CANOPY 10' TO REAR, INST'D MGD'S	
4	9-25-85	ADDED FENCE TO CLOSE REAR ENTRANCE	
5	4-24-85	REV. RELOC. MGD'S AND REFURB. I.H.	
6	3-20-85	REVISED OUTER ISLANDS	
REV. NO.	DATE	DESCRIPTION	
DRAWN BY	DATE	CHECKED BY	STATION NUMBER
BY D. HAMLETTE			MD-34
		DRAWING NUMBER	REV. NO.
		CCP-30-31 R	6

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 405.4.A.2.a. To permit a sign setback of 2.5 ft. instead of the required 6 ft. setback. 413.2.f. to permit a sign of 181.3 sq. ft. instead of the required 100 sq. ft. or less.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

- (1) Sign Setback: Less than 6' has been in same location for approximately years and we do not have the space to relocate it further back as it would impede the flow of traffic at the pumps.
- (2) Sign Size: We are enlarging the price sign and the pole by 81.30 sq. over the maximum allowed 100 sq. ft. for better visibility to the public. We are not increasing the square footage of our Crown Logo.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____

(Type or Print Name) _____ Crown Stations, Inc. _____

Signature _____ Signature by K. A. Snyder, Vice President _____

Address _____ (Type or Print Name) _____

City and State _____ Signature _____

Attorney for Petitioner: _____

J. Gregory Kavanagh _____ P. O. Box 1168 _____ 519-7400 _____

(Type or Print Name) _____ Address _____ Phone No. _____

Signature _____ Baltimore, Maryland 21203 _____

P. O. Box 1168 _____ Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____

Address _____ Baltimore, MD 21203 _____

City and State _____ Name _____

Attorney's Telephone No.: 539-7400 _____ 2114 Ritchie Hwy. 761-9233 _____

Address _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of February, 1986, at 10:45 o'clock.

Zoning Commissioner of Baltimore County.

(over)

A.2d 483 (1974); Scoville Serv., Inc. v. Comptroller, 269 Md. 390, 306 A.2d 534 (1973); Height v. State, 225 Md. 251, 170 A.2d 212 (1961). Equally well settled is the principle that statutes are to be construed reasonably with reference to the purpose to be accomplished. Walker v. Montgomery County, 244 Md. 98, 223 A.2d 181 (1966), and in light of the evils or mischief sought to be remedied, Mitchell v. State, 115 Md. 360, 80 A.2d 1020 (1911); in other words, every statutory enactment must be considered in its entirety, and in the context of the purpose underlying [its] enactment. Giant of Md. v. State's Attorney, 267 Md. 501 at 509, 238 A.2d 427, at 432 (1973). Of course, a statute should be construed according to the ordinary and natural import of its language, since it is the language of the statute which constitutes the primary source for determining the legislative intent. Grosvener v. Supervisor of Assess., 271 Md. 232, 315 A.2d 758 (1974); Height v. State, supra. Where there is no ambiguity or obscurity in the language of a statute, there is usually no need to look elsewhere to ascertain the intention of the Legislature. Purifoy v. Merc. Safe Deposit & Trust, supra. Thus, where statutory language is plain and free from ambiguity and expresses a definite and sensible meaning, courts are not at liberty to disregard the natural import of words with a view towards making the statute express an intention which is different from its plain meaning. Gatewood v. State, 244 Md. 609, 224 A.2d 677 (1966). On the other hand, as stated in Kernie v. State, 192 Md. 615, 623, 65 A.2d 299, 302 (1949), "[a]n inference to the meaning of words does not require or permit isolation of words from their context...[since] the meaning of the plainest words in a statute may be controlled by the context..." In construing statutes, therefore, results that are unreasonable, illogical or inconsistent with common sense should be avoided whenever possible consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning. P. F. Saul Co. v. West Bnd Park, 250 Md. 707, 246 A.2d 591 (1968); Sanza v. Md. Board of Censors, 245 Md. 319, 226 A.2d 317 (1967); Height v. State, supra.

In applying these principles to the BCZR, particularly Section 413.2, the conclusion is inescapable that under the plain wording of Section 413.2, the policy as described above is in conflict and therefore wrong.

The intent of the BCZR must be determined as being construed as a whole. See Smith v. Miller, 249 Md. 390. Thus, the specific language delineating the use regulations in Section 413, BCZR, must be construed in light

IN RE: PETITIONS ZONING VARIANCES * BEFORE THE
Crown Stations, Inc., * ZONING COMMISSIONER
Petitioner * OF BALTIMORE COUNTY
* Case Nos. 86-317-A, 86-318-A, and 86-319-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit a sign setback from a street right of way of 2 1/2 feet in Case No. 86-317-A, 2 1/2 feet in Case No. 86-318-A, and 1 foot in Case No. 86-319-A instead of the required 6 feet and other business signs of 181.3 square feet instead of the permitted 100 square feet in each of the cases, as more particularly described on Petitioner's Exhibits 1 in each case.

Inasmuch as the requested variances and the facts surrounding each request are similar, or identical, the three Petitions referenced above have been combined for the purpose of this Order.

The Petitioner, by Vernon Mannion, its Real Estate Representative, appeared and was represented by Counsel. George Coppinger, a dealer at one of the sites, also appeared on behalf of the Petitioner. Alice LeGrand, representing the Reisterstown-Owings Mills-Glyndon Coordinating Council, and Mary Ginn and Kay Turner, representing The Alliance of Baltimore County Community Councils, Inc., appeared in opposition to Case No. 86-319-A. They were not opposed to Case Nos. 86-317-A and 86-318-A.

Testimony indicated that the Petitioner is requesting permission to replace existing signs at three locations, i.e., Loch Raven Boulevard and Yakovlev Road (Case No. 86-317-A), Reisterstown and Old Court Roads (Case No.

86-318-A, and Reisterstown and Straw Hat Roads (Case No. 86-319-A), all zoned B.L. Presently, one pylon bearing an identification (ID) sign with the familiar Crown Logo and price signs attached below has existed at each location for many years. At Loch Raven Boulevard, the existing sign is 2 1/2 feet from the street right of way and measures approximately 141 square feet counting both sides. The ID sign measures approximately 104 square feet and the price sign measures 37 square feet. At Reisterstown and Old Court Roads, the existing sign is also located 2 1/2 feet from the street right of way and measures 104 square feet counting both sides. The price signs at this location are placed on a separate pylon. At Reisterstown and Straw Hat Roads, the sign is located 1 foot from the right of way and measures approximately 141 square feet, including the ID and price signs.

The Petitioner proposes to replace these signs with a uniform sign bearing the Crown ID on the top of two pylons within which will be a panel identifying the gasoline prices. The size of the sign will be 181.3 square feet, which includes both sides of the ID sign, the price box, and the structure. The only difference among the three signs is that the one at Reisterstown and Old Court Roads will be placed into a 10' x 10' brick fountain.

It is clear that the distances of the signs to the right-of-way lines are nonconforming. At the time the existing signs were erected, the long-standing policy of the Zoning Commissioner was to count all multiple-sided signs as one side only for the purpose of computing the permitted 100 square feet for other business signs. Indeed, if this latter policy had not been changed in In Re C-P Property Partnership, Case No. 85-113-SPHA, November 5, 1984, wherein it was decided by the Zoning Commissioner that this policy was illegal, the Petitioner would be able to erect these signs without the need for variances.

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For many years, as indicated, the policy permitted both sides of a multiple-faced business sign to be computed as one for the purpose of determining the size permitted. If a business sign such as the multiple-faced, free-standing sign proposed here was computed to be 98 square feet on each side, past policy would have counted only one side. Section 413.2.f, BCZR, permits other business signs if limited to a total area of 100 square feet, and therefore, a sign such as described above would be permitted as a matter or right without the need for a variance. Of course, if both sides were counted for a total of 196 square feet, a variance would be required.

This interpretation does not comport to either the language or the intent of the BCZR. By their inherent nature, policies facilitate and improve the implementation of procedures, but they are equally subject to alteration, modification, or revision in accordance with the authority under which they are initially adopted. They may be used to interpret and/or to construe the law but cannot supplant or contradict the law. Official administrative interpretations of statutes in the form of policy that have long-continued and unvaried application should not be disregarded except for the strongest reason. Hofmeister v. Frank Realty Co., 373 A.2d 273, 281 (1977). As long as the rules and regulations adopted by the administrative official are reasonable and consistent with the statute, they should be applied.

Farber's, Inc. v. Controller of the Treasury of the State of Maryland, 266 Md. 4 (1972).

The basic principles of statutory construction were comprehensively set out in the Court of Appeals in State v. Fabritz, 276 Md. 416 (1975), cert. denied, 425 U.S. 942 (1976):

The cardinal rule in the construction of statutes is to effectuate the real and actual intention of the Legislature. Purifoy v. Merc. Safe Dep. & Trust, 273 Md. 58, 327

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of all of the provisions concerning signs so that the several parts of those regulations are given their intended effect. Moreover, the relationship between those various provisions regulating signs must be reconciled as a whole. See Smith, supra; Bowie Vol. Fire Depart. & Rescue Squad, Inc. v. Bd. of County Commissioners, 255 Md. 381; Anderson, American Law of Zoning, Section 16.08.

Only Section 413.2.e, BCZR, permits a multiple-faced sign to be considered as one and that is limited to an identification sign for a shopping center or other interpreted group of stores or commercial buildings. The introductory language of Section 413.2 does not provide the right to treat all business signs alike. The language is not all inclusive nor all permissive. It provides a preamble to the section's intent and conditions any permission to place a business sign of a particular size in only those business or industrial zones permitted in subsequent subsections. If all of the subparagraphs of Section 413.2 are read and their intent interpreted as a whole, any such interpretation must conclude that the Baltimore County Council intended each face of a sign to be counted, except for shopping center identification signs. Section 413.5.a, BCZR, buttresses this clear and unequivocal reading, i.e., the size of any sign is computed by determining its surface area including the entire face or faces.

An ordinance should be construed "so that no word, clause, sentence, or phrase shall be rendered surplusage, superfluous, meaningless or nugatory." Superior v. Southgate Harbor, 279 Md. 586 (1977). If all multiple-faced business signs were to be considered as one, the language of Section 413.2.e would be meaningless, or at the very least, superfluous.

The language of Section 413.2 is clear and unambiguous; therefore, the long-standing and customary application of the policy which considers all

multiple-faced business signs as one should be disregarded for the strongest and most urgent of reasons, i.e., the policy conflicts with the plain meaning of the statute. Smith v. Higginbotham, 187 Md. 115. If after computation, the two sides of the multiple-faced business sign exceed the permitted size as delineated by law, a variance shall be required.

The Petitioner seeks relief from Sections 405.4.A.2.a and 413.2.f, pursuant to Section 307, BCZR.

The requested increase is not excessive, but very reasonable. Indeed, the height of the proposed signs, i.e., 21 feet 11 inches is approximately the same as the existing ones. There will be no practical difference in size between the old and the new signs. In fact, the proposed signage is the same. The increase in the area requested is because the structure is now computed in the area of the sign, not the sign panels only.

There is one exception. The proposed change at Reisterstown and Straw Hat Roads will create a problem inasmuch as the existing sign base is only 1 foot from the right of way of Reisterstown Road. The sign's pylon is placed at a 45 degree angle away from the road. Because of this, the sign is not as close to the road as the base. A change to the two pylon structure will negate this, and its close proximity to a major road could, in this Commissioner's view, cause a danger to the public health, safety, and welfare of the community. This problem does not exist at the other two locations, and indeed, the Protestants recognize this and do not object to those signs.

As for the setbacks, it is a long-standing policy to require the Petitioner to bring up to current standards all deficient setbacks when requesting other variances.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his

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property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of March, 1986, that the Petitions for Zoning Variances to permit sign setbacks of 2 1/2 feet from street rights of way instead of the required 6 feet and other business signs of 181.3 square feet instead of the

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permitted 100 square feet in Case Nos. 86-317-A and 86-318-A be and are hereby GRANTED from and after the date of this Order.

It is FURTHER ORDERED that the Petition for Zoning Variances to permit a sign setback of 1 foot from a street right of way instead of the required 6 feet and other business signs of 181.3 square feet instead of the permitted 100 square feet in Case No. 86-319-A be held SUB CURIA pending further information from the Petitioner.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl
cc: Andrew LaPayowker, Esquire
Mrs. Mary Ginn
Mrs. Alice LeGrand
People's Counsel

ZONING DESCRIPTION

Crown MD-34

Beginning on the northeast side of Reisterstown Road, 152.15 feet southeast of Old Court Road. Thence the four following courses and distances

1. N. 62° 39' 40" E. 153.0 feet
2. S. 41° 07' 46" E. 167.99 feet
3. S. 47° 52' 33" W. 143.07 feet

4. On the northeast side of Reisterstown Road in a northwest direction N. 41° 34' 33" W. 207.08 feet. To the place of beginning.
Containing 26.884 square feet in the 3rd Election District. Also known as 1507 Reisterstown Road.

PETITION FOR ZONING VARIANCES

3rd Election District

LOCATION: Beginning at Northeast Side of Reisterstown Road, 152.15 feet Southeast of Old Court Road (1507 Reisterstown Road)
DATE AND TIME: Monday, February 24, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit a sign setback of 2.5 feet in lieu of the required 6 feet and to permit a sign of 181.3 square feet in lieu of the permitted 100 square feet.

Being the property of Crown Stations, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
Beginning NE/S of Reisterstown : OF BALTIMORE COUNTY
Rd., 152.15' SE of Old Court :
Rd. (1507 Reisterstown Rd.) :
3rd District :
CROWN STATIONS, INC., Petitioners Case No. 86-318-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel. In the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 31st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to J. Gregory Yawman, Esquire, P. O. Box 1168, Baltimore, MD 21203, Attorney for Petitioner.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

SEARCHED RECEIVED FOR FILING
DATE March 29, 1986
BY John P. Lynch
ADMINISTRATIVE SERVICES

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BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 18, 1986

J. Gregory Yawman, Esquire
Post Office Box 1168
Baltimore, Maryland 21203

Re: Petition for Zoning Variances
Beg. @ NE/S of Reisterstown Rd., 152.15' SE
of Old Court Rd. (1507 Reisterstown Rd.) - 3rd Election District
Crown Stations, Inc. - Petitioner
Case No. 86-318-A

Dear Mr. Yawman:

This is to advise you that \$57.49 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 2/24/86 ACCOUNT R-01-615-000
No. 018506
AMOUNT \$ 198.49
RECEIVED FROM William J. Yawman
FOR Advertising Posting
B 8099*****138491a 3252F

J. Gregory Yawman, Esquire
Post Office Box 1168
Baltimore, Maryland 21203

January 24, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
Beg. @ NE/S of Reisterstown Rd., 152.15' SE
of Old Court Rd. (1507 Reisterstown Rd.)
3rd Election District
Crown Stations, Inc. - Petitioner
Case No. 86-318-A

TIME: 10:45 a.m.

DATE: Monday, February 24, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 11/20/85 ACCOUNT 01-615-000
No. 012374
AMOUNT \$ 100.00
RECEIVED FROM Crown Stations, Inc.
FOR Variance #1196
B 8099*****138491a 3252F

PETITION FOR ZONING VARIANCES
3rd Election District
LOCATION: Beginning at Northeast Side of Reisterstown Road, 152.15 feet Southeast of Old Court Road (1507 Reisterstown Rd.)
DATE AND TIME: Monday, February 24, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Zoning Variances to permit a sign setback of 2.5 feet in lieu of the required 6 feet and to permit a sign of 181.3 square feet in lieu of the permitted 100 square feet.
Being the property of Crown Stations, Inc., as shown on plat plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JARLON,
Zoning Commissioner
of Baltimore County
Feb. 6.

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 6, 1986.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 6, 1986.

THE JEFFERSONIAN,
[Signature]
Publisher

Cost of Advertising
24.75

Case No. CS-318-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of January, 1986.

ARNOLD JARLON
Zoning Commissioner
Received by: *[Signature]*
Chairman, Zoning Plans
Advisory Committee
Petitioner: Crown Stations, Inc.
Attorney: J. Gregory Yawman, Esquire

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3rd

Posted for: Variances

Petitioner: Crown Stations, Inc.

Location of property: NE/S of Reisterstown Road, 152.15' SE of Old Court Rd. (1507 Reisterstown Rd.)

Location of Sign: N.E. side of Reisterstown Road, approx 250' SE of Old Court Rd. on front of subject property

Remarks:

Posted by: *[Signature]* Date of return: Feb. 7, 1986

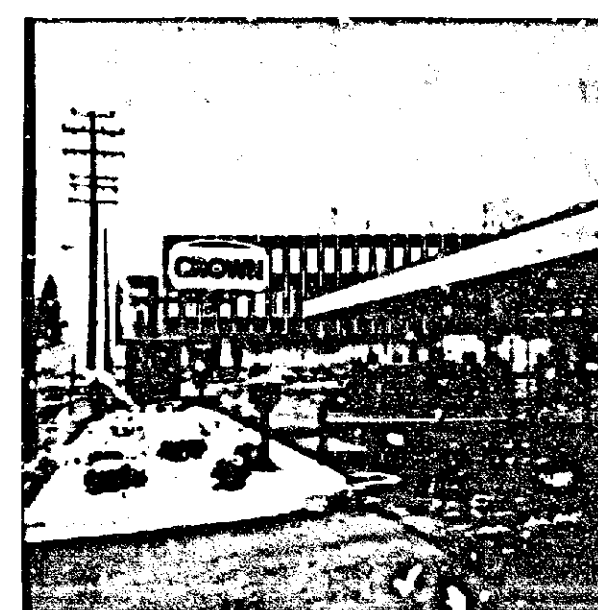
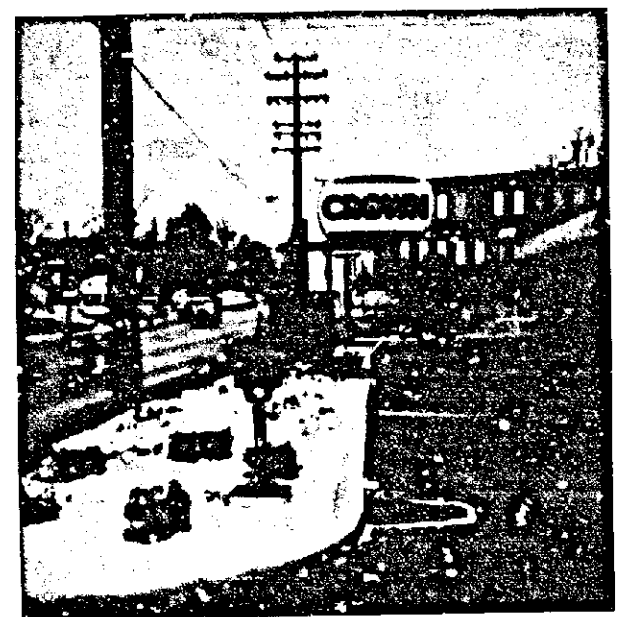
Number of Signs: 1

PETITION FOR ZONING VARIANCES
3rd Election District
LOCATION: Beginning at Northeast Side of Reisterstown Road, 152.15 feet Southeast of Old Court Road (1507 Reisterstown Rd.)
DATE AND TIME: Monday, February 24, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Zoning Variances to permit a sign setback of 2.5 feet in lieu of the required 6 feet and to permit a sign of 181.3 square feet in lieu of the permitted 100 square feet.
Being the property of Crown Stations, Inc., as shown on plat plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JARLON,
Zoning Commissioner
of Baltimore County
Feb. 6.

NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., Feb. 6, 1986.
I, the undersigned, Reg. # 184192, P.O. # 73295
do hereby certify that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Maryland, on February 6, 1986, in the 3rd Edition, a daily newspaper published in Westminster, Carroll County, Maryland.
In News, a weekly newspaper published in Baltimore County, Maryland.
Times, a weekly newspaper published in Baltimore County, Maryland.
NITY NEWSPAPERS OF MARYLAND, INC.
Per *[Signature]*

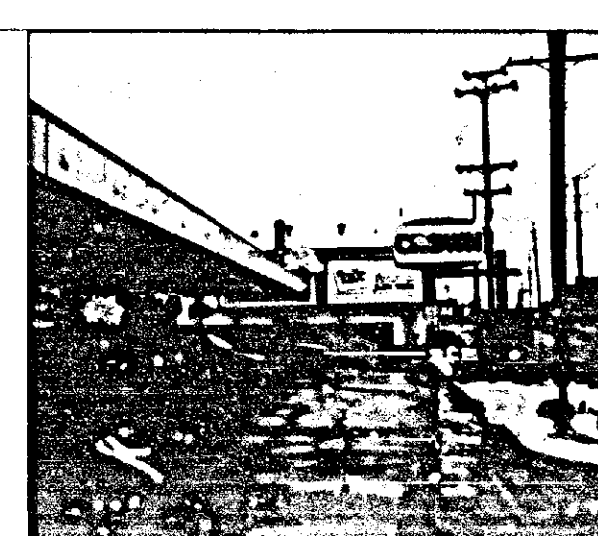
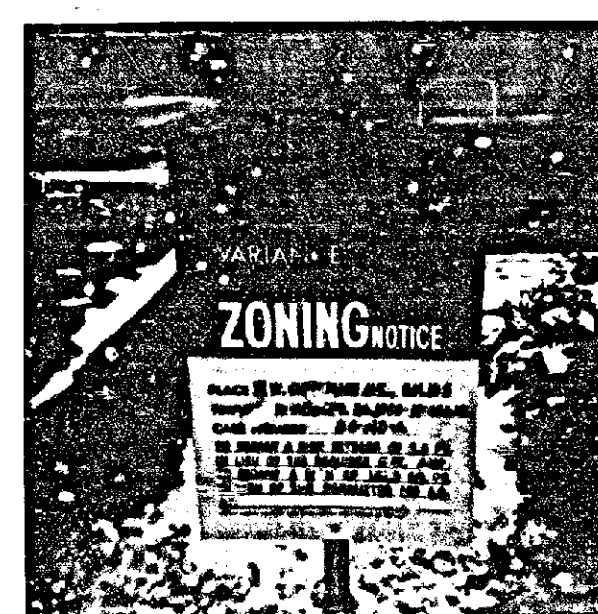
MAR 23 1986



CROWN

ANDREW LAPAYOWIKER

PLANNING ATTORNEY
CROWN CENTRAL PETROLEUM CORPORATION
ONE NORTH CHARLES
BALTIMORE, MARYLAND 21204
(410) 526-7400



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
Date: January 31, 1986
SUBJECT: Zoning Petitions No. 86-317-A, 86-318-A and 86-319-A

If the sign is to be placed on the existing base, this office is not concerned with the setback variance; if a new base is to be poured, it could and should be set further back from the property line.

As to the variance to sign size, this office is opposed. If better visibility to the public satisfies the "unreasonable hardship" criterion, then perhaps regulations governing sign size are superfluous.

Norman E. Gerber per J. H. Howell
Norman E. Gerber, AICP
Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 29, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

Members

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

J. Gregory Yawman, Esquire
P. O. Box 1168
Baltimore, Maryland 21203

RE: Item No. 196 - Case No. 86-318-A
Petitioner - Crown Stations, Inc.
Variance Petition

Dear Mr. Yawman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
James E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures



Maryland Department of Transportation
State Highway Administration

William K. Heilmann
Secretary
Hol Kassoff
Administrator

December 6, 1985

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Baltimore County
Item #196
Property Owner: Crown
Stations, Inc.
Location: NE/S
Reisterstown Road
(Route 140) 152.15',
SE of Old Court Road
Existing Zoning: B.L. CSA
Proposed Zoning: Var.
to permit a sign setback
of 2.5' instead of the
required 6' setback and to
permit a sign of 181.3 sq.
ft. instead of the
required 100 sq. ft. or less
Acres: 26,834 sq. ft.
District 3rd

Att: James Dyer

Dear Mr. Dyer:

On review of the submittal for sign variance for Outdoor Advertising, the site plan has been forwarded to the State Highway Administration Beautification Section, C/O Morris Stein (659-1642) for all comments relative to zoning.

Very truly yours,

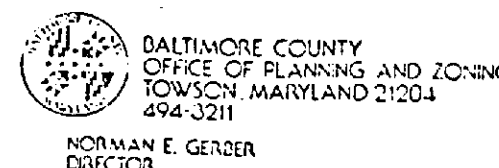
Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es

cc: J. Ogle
M. Stein w/att.

My telephone number is 301-659-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 117 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 28, 1986

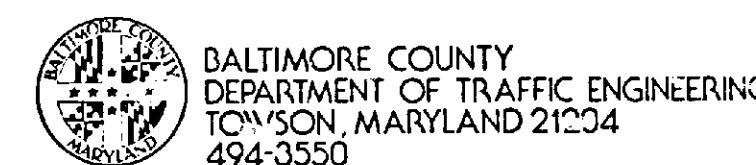
Re: Zoning Advisory Meeting of DECEMBER 3, 1985
Item # 196
Property Owner: CROWN STATIONS, INC.
Location: NE/S REISTERSTOWN RD. 152.15'
SE OF OLD COURT ROAD

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on [blank].
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve is submitted.
- ☒ The property is located in a traffic area controlling a "T" level intersection as defined by Bill 178-79, and as conditions change are re-evaluated annually by the County Council.
- ☒ Additional comments:

cc: James Howell

Eugene A. Boher
Chief, Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 3, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 190, 191, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, and 206.

MSP/bld

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

December 17, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Crown Stations, Inc.

Location: NE/S Reisterstown Road, 152.15' SE of Old Court Road

Item No.: 196 Zoning Agenda: Meeting of December 3, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of [blank] feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at [blank]

EXCEEDS the maximum allowed by the Fire Department.

- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.

☒ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and
Planning Group Approved: [Signature]
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 23, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

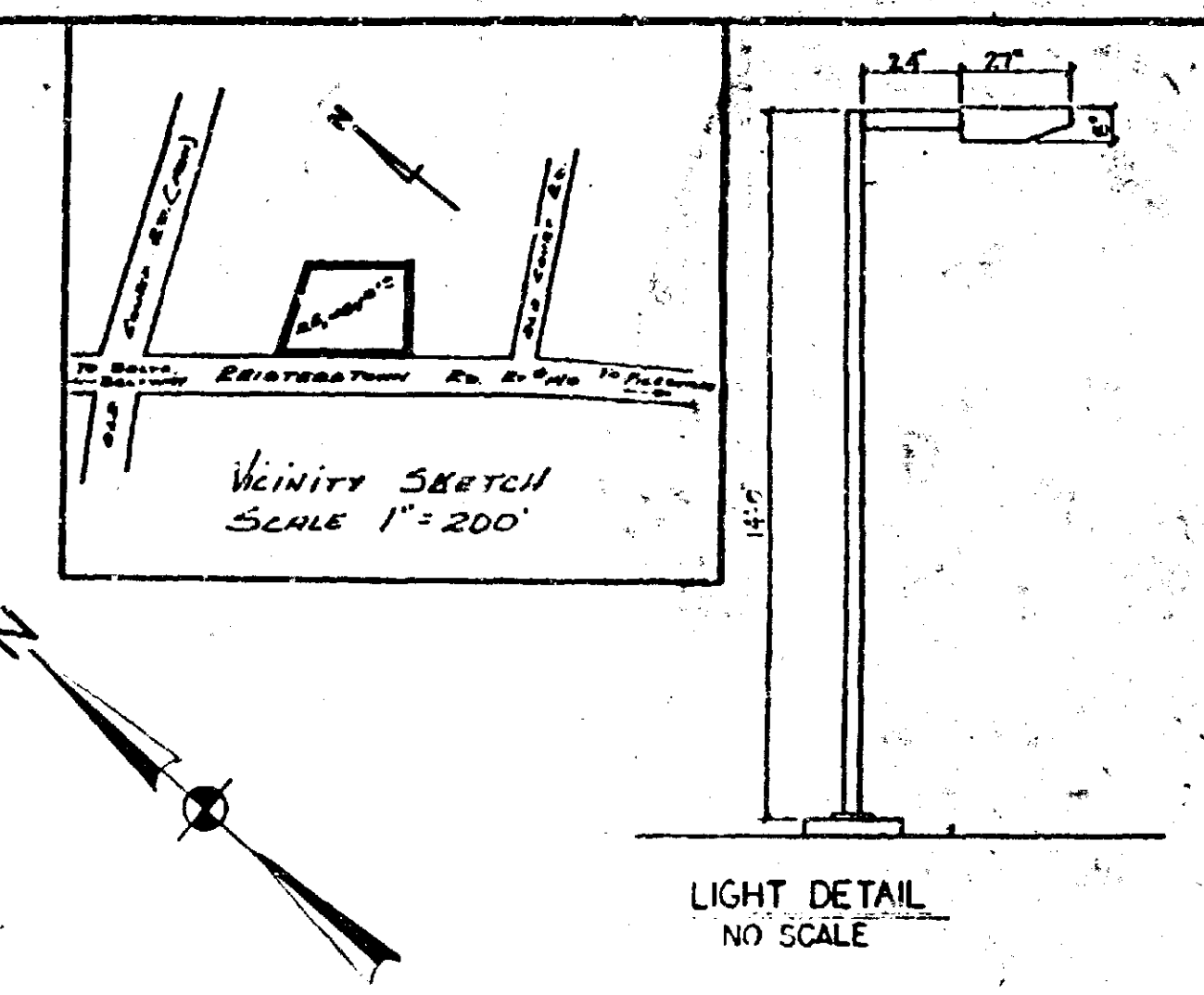
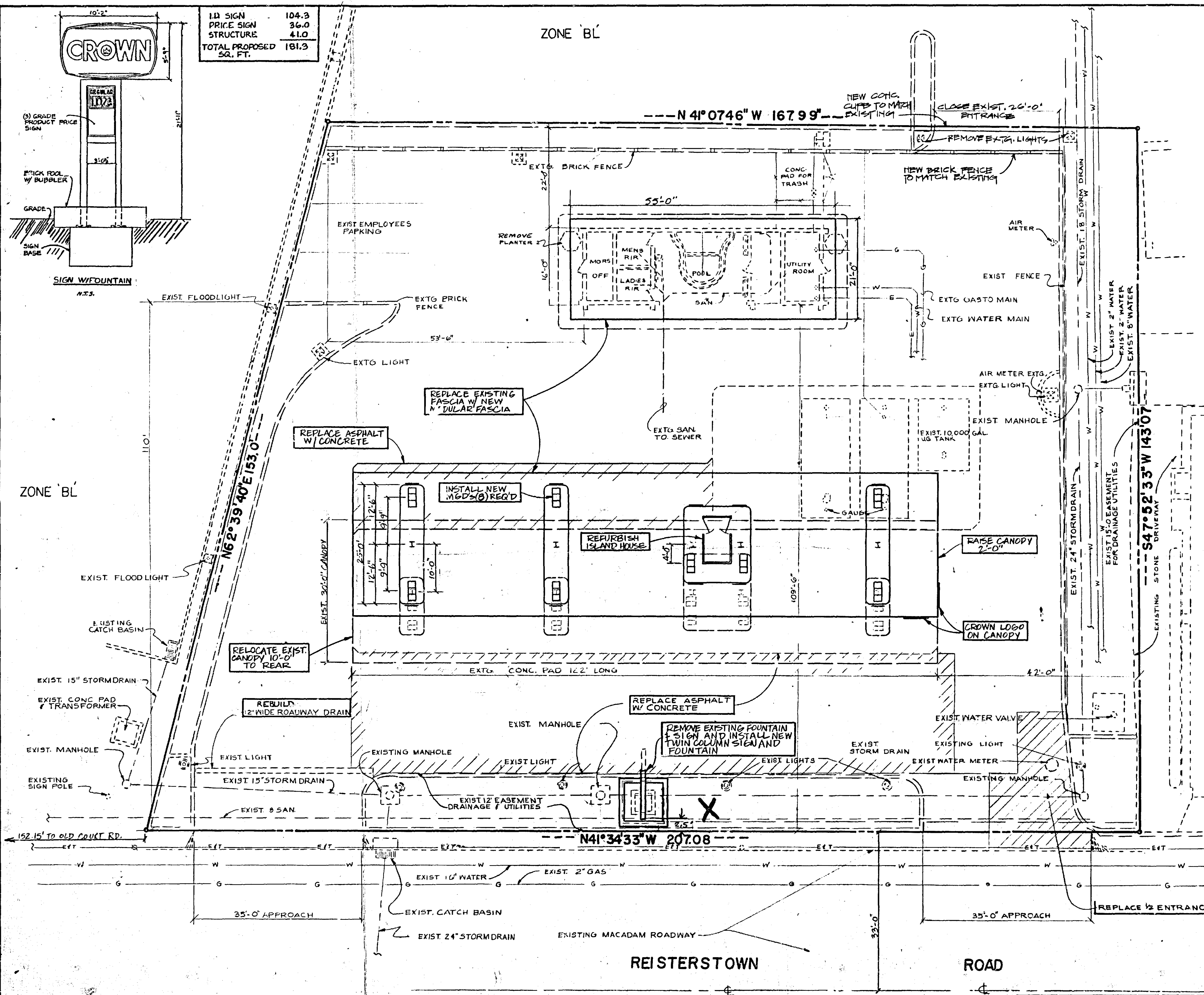
Dear Mr. Jablon:

Comments on Item # 196 Zoning Advisory Committee Meeting are as follows:

Property Owner: Crown Stations, Inc.
Location: NE/S Reisterstown Road, 152.15' SE of Old Court Road
District: 3rd.

APPLICABLE ITEMS ARE CIRCLED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, the Maryland Code for the Building and Code (A.B.C. 11-85) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be obtained before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- ☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproductible seals are not acceptable.
- ☒ All the groups except B-1, Single Family Detached dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1, Two Groups require a one hour wall if closer than 3'-0" to an interior lot line. B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11, B-12, B-13, B-14, B-15, B-16, B-17, B-18, B-19, B-20, B-21, B-22, B-23, B-24, B-25, B-26, B-27, B-28, B-29, B-30, B-31, B-32, B-33, B-34, B-35, B-36, B-37, B-38, B-39, B-40, B-41, B-42, B-43, B-44, B-45, B-46, B-47, B-48, B-49, B-50, B-51, B-52, B-53, B-54, B-55, B-56, B-57, B-58, B-59, B-60, B-61, B-62, B-63, B-64, B-65, B-66, B-67, B-68, B-69, B-70, B-71, B-72, B-73, B-74, B-75, B-76, B-77, B-78, B-79, B-80, B-81, B-82, B-83, B-84, B-85, B-86, B-87, B-88, B-89, B-90, B-91, B-92, B-93, B-94, B-95, B-96, B-97, B-98, B-99, B-100, B-101, B-102, B-103, B-104, B-105, B-106, B-107, B-108, B-109, B-110, B-111, B-112, B-113, B-114, B-115, B-116, B-117, B-118, B-119, B-120, B-121, B-122, B-123, B-124, B-125, B-126, B-127, B-128, B-129, B-130, B-131, B-132, B-133, B-134, B-135, B-136, B-137, B-138, B-139, B-140, B-141, B-142, B-143, B-144, B-145, B-146, B-147, B-148, B-149, B-150, B-151, B-152, B-153, B-154, B-155, B-156, B-157, B-158, B-159, 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ZONING STATUS

EXISTING ZONING: PARCEL #1 BL

EXISTING DISTRICT: CSA

AREA REQUIREMENTS

4 # DISPENSER ISLANDS WITH 5 # MULTI-GRADE DISPENSERS CAPABLE OF SERVING 8 CARS AT ANY ONE TIME.

TOTAL SERVICING SPACES 8

TOTAL SERVICING BAYS 8

TOTAL BAYS & SPACES 8

SITE AREA REQUIRED TOTAL BAYS & SPACES 91 x 1500 SQUARE FEET = 12,000 SQUARE FEET. MINIMUM AREA REQUIRED 15,000 SQ. FT.

PROPOSED ANCILLARY & ADDITIONAL AREA REQUIRED NONE

PROPOSED COMBINATION USES NONE

ADDITIONAL AREA REQUIRED NONE

TOTAL AREA REQUIRED 12,000 SQ. FT.

TOTAL AREA OF TRACT 26,834.56 SQ. FT.

ACCESS POINTS

NUMBER OF DRIVEWAYS ON FRONT STREET 2 TIMES 65 = 130 (REQUIRED WIDTH)

ACTUAL SITE WIDTH 207.28'

LANDSCAPING

AREA "A" = 110 SQUARE FEET AREA "C" = 200 SQUARE FEET

AREA "B" = 1300 SQUARE FEET AREA "D" = 320 SQUARE FEET

TOTAL 2010 SQ. FT. = 7.6 % OF TRACT

5% OF TRACT 1345 SQ. FT.

LANDSCAPING CONSISTS OF (DESCRIPTION) ASTROTURF, FOUNTAIN

LIGHTING

(2) TYPE #1 4' HEIGHT LOW LEVEL (DESCRIPTION)

(2) TYPE #2 10' HEIGHT KUBE-LITE (DESCRIPTION)

PARKING

PARKING SPACES REQUIRED THREE FOR EACH BAY NONE

PARKING SPACES PROVIDED NONE

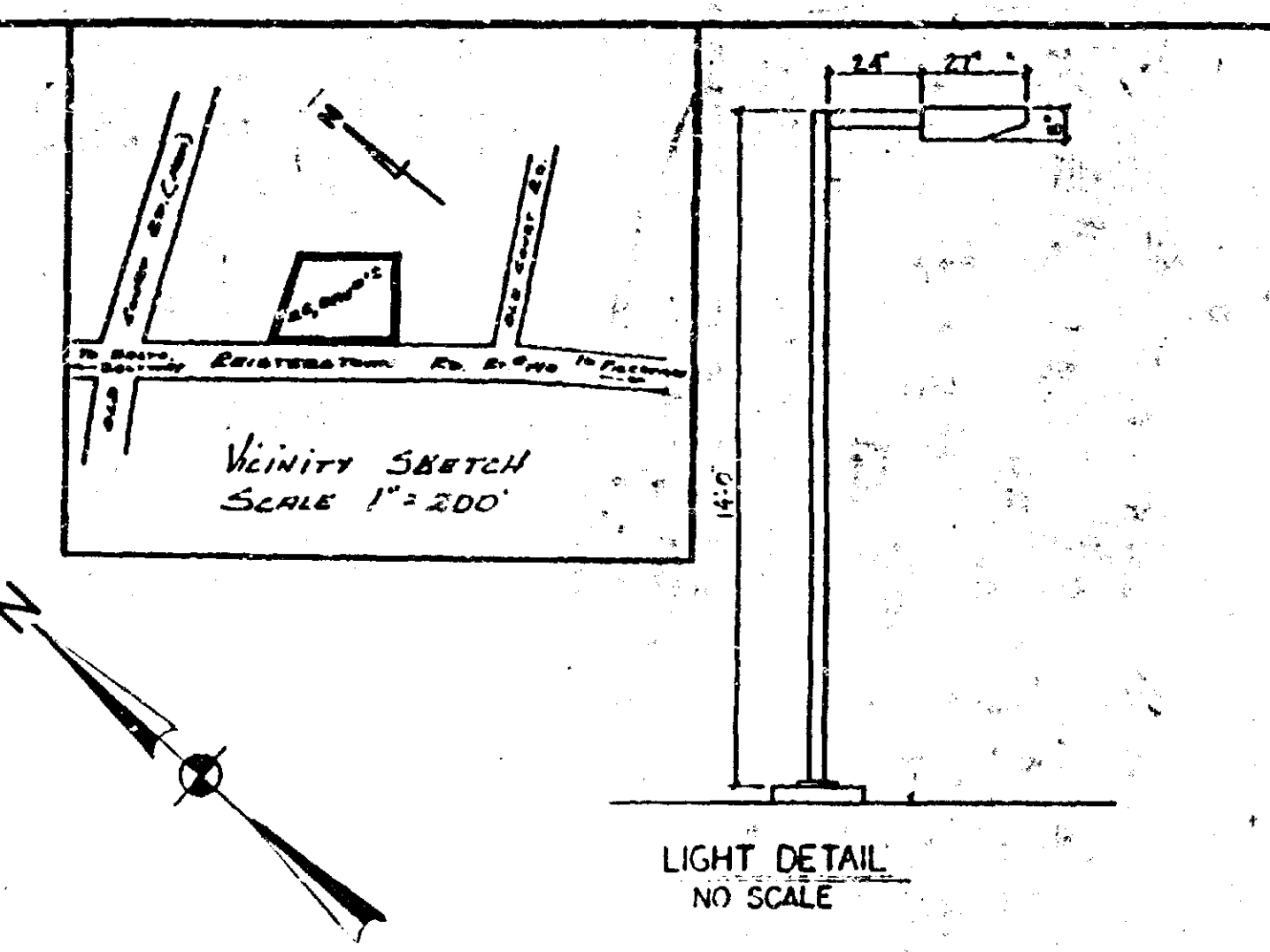
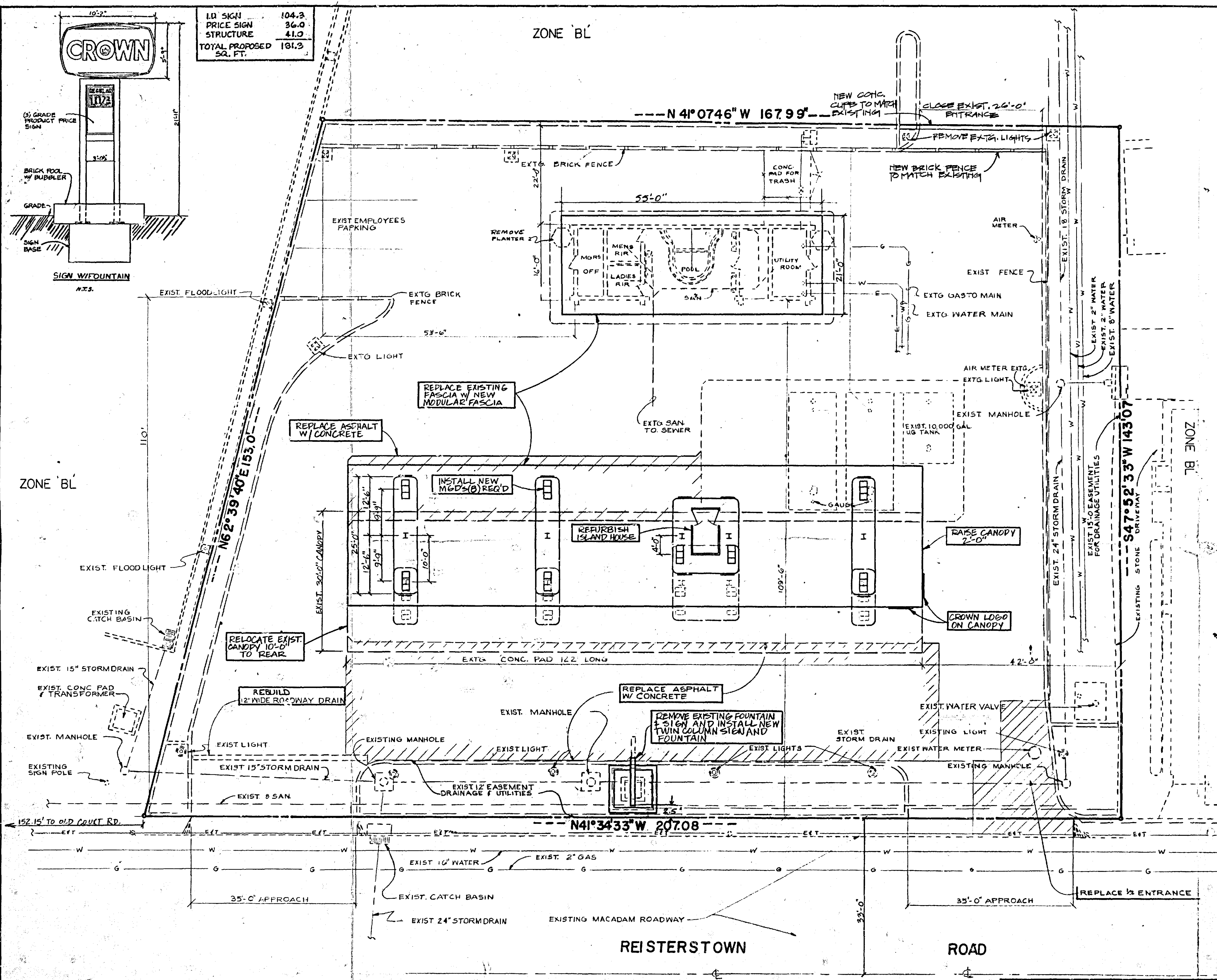
(ALL PARKING MUST BE SET BACK 8 FEET FROM STREET PROPERTY LINE).

NOTE: NO INDUSTRIAL WATER WILL BE USED OR INDUSTRIAL WASTE WATER DISCHARGED FROM THIS STATION.



CROWN CENTRAL PETROLEUM CORPORATION			
PRODUCERS • REFINERS • MARKETERS OF PETROLEUM PRODUCTS AND PETROCHEMICALS			
GENERAL OFFICES • ONE NORTH CHARLES • P.O. BOX 1158 • BALTIMORE, MARYLAND 21203			
PLOT PLAN OF SERVICE STATION			
1507 REISTERSTOWN RD. NR. OLD COURT RD.			
PIKESVILLE, MARYLAND			
SCALE 1"=10'-0"	DATE 02-20-85	STATION NUMBER MD-34	REV. NO. 6
DRAWN BY D. HAMLETTE	CHECKED BY	DRAWING NUMBER CCP-70-31 R	REV. NO. 6

REV. NO.	DATE	DESCRIPTION
6	11-7-85	ADDED LOCATION MAP, LIGHT DETAIL, SIGN DETAIL
5	9-26-85	REPLACED EXIST. FOUNTAIN & SIGN WITH NEW SIGN & FOUNTAIN
4	9-25-85	MOVED CANOPY 10' TO REAR, INST'D MGD'S
3	6-8-85	ADDED FENCE TO CLOSE ENDS REAR ENTRANCE
2	4-24-85	REV. RELOC. MGD'S AND REFUR. I.H.
1	3-20-85	REVISED OUTER ISLANDS



ZONING STATUS	
EXISTING ZONING:	PARCEL #1 BL
EXISTING DISTRICT:	CSA
AREA REQUIREMENTS	
4 # DISPENSER ISLANDS WITH 5 # MULTI-GRADE DISPENSERS CAPABLE OF SERVING 2 CARS AT ANY ONE TIME.	
TOTAL SERVICING SPACES	8
TOTAL SERVICING BAYS	0
TOTAL BAYS & SPACES	8
SITE AREA REQUIRED TOTAL BAYS & SPACES 8 # x 1500 SQUARE FEET = 12,000 SQUARE FEET. MINIMUM AREA REQUIRED 15,000 SQ. FT.	
PROPOSED ANCILLARY & ADDITIONAL AREA REQUIRED	VENDING MOTOR OIL, RESTROOMS & ALLIED PRODUCTS
PROPOSED COMPLETION USES	NONE
ADDITIONAL AREA REQUIRED	NONE
TOTAL AREA REQUIRED	12,000 SQ. FT.
TOTAL AREA OF TRACT	26,834 SQ. FT.
ACCESS POINTS	
NUMBER OF DRIVEWAYS ON FRONT STREET	2 TIMES 65' = 130'
(REQUIRED WIDTH)	
ACTUAL SITE WIDTH	207.08'
LANDSCAPING	
AREA "A" = 110 SQUARE FEET	AREA "C" = 200 SQUARE FEET
AREA "B" = 1300 SQUARE FEET	AREA "D" = 320 SQUARE FEET
TOTAL	2010 SQ. FT. = 7.6 % OF TRACT
SZ OF TRACT	1345 SQ. FT.
LANDSCAPING CONSISTS OF (DESCRIPTION)	ASTROTURF, FOUNTAIN
LIGHTING	
(2) TYPE #1 4' HEIGHT	LOW LEVEL (DESCRIPTION)
(2) TYPE #2 10' HEIGHT	KUBE-LITE (DESCRIPTION)
PARKING	
PARKING SPACES REQUIRED	THREE FOR EACH BAY NONE
PARKING SPACES PROVIDED	NONE
(ALL PARKING MUST BE SET BACK 8 FEET FROM STREET PROPERTY LINE)	
NOTE: NO INDUSTRIAL WATER WILL BE USED OR INDUSTRIAL WASTE WATER DISCHARGED FROM THIS STATION.	

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PLOT PLAN OF SERVICE STATION	
1507 REISTERSTOWN RD. NR. OLD COURT RD.	
PIKESVILLE, MARYLAND	
SCALE: 1"=10'-0"	DATE: 02-20-85
DRAWN BY: D. HAMLETTE	CHECKED BY:
STATION NUMBER: MD-34	REV. NO. 6
REVISIONS	
REV. NO.	DATE
1	3-20-85
2	4-24-85
3	4-24-85
4	9-25-85
5	9-25-85
6	11-7-85
DESCRIPTION	
ADDED LOCATION MAP, LIGHT DETAIL, SIGN DETAIL	
REPLACED EXIST. FOUNTAIN & SIGN WITH NEW SIGN & FOUNTAIN	
MOVED CANOPY 10' TO REAR, INST'D. M.D.S.	
ADDED FENCE TO CLOSE REAR ENTRANCE	
REV. RELOC. M.D.S. AND REFURB. I.H.	
REVISED OUTER ISLANDS	

BRUNING 44 122 62006